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General Assembly
Fifty-fourth session

Official Records

80th plenary meeting
Wednesday, 15 December 1999, 3 p.m.
New York

President: Mr. Gurirab ..... (Namibia)

The meeting was called to order at 3.15 p.m.

Agenda item 20 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Draft resolution (A/54/L.70)

(b) Special economic assistance to individual countries or regions

Draft resolutions (A/54/L.29/Rev.1, A/54/L.66, A/54/L.67, A/54/L.68, A/54/L.69)

(e) Assistance to the Palestinian people

Draft resolution (A/54/L.52)

The President: I call on the representative of Finland to introduce draft resolutions A/54/L.70 and A/54/L.52.

Ms. Rasi (Finland): I have the honour to introduce, on behalf of the European Union and the other sponsors, the following two draft resolutions: the draft resolution contained in document A/54/L.70, entitled "Safety and security of humanitarian personnel and protection of United Nations personnel", and the draft resolution contained in document A/54/L.52, entitled "Assistance to the Palestinian people".

Since the publication of draft resolution A/54/L.70, entitled "Safety and security of humanitarian personnel and protection of United Nations personnel", the following countries have joined the sponsors of the draft resolution: Bangladesh, Costa Rica, Gabon, Guinea-Bissau, Lithuania, Liechtenstein, the Republic of Moldova and Thailand. In order to make the text consistent with the version finalized in negotiations and submitted to the Secretariat, I wish to make the following revisions to the text:

The seventh preambular paragraph should begin as follows:

"Deeply concerned by the growing number of complex humanitarian emergencies in the last few years, in particular armed conflicts, and in post-conflict situations ..."

The thirteenth preambular paragraph should begin as follows:

"Recognizing the fundamental requirement that consideration for appropriate modalities ..."

Moreover, the personnel associated with the United Nations are referred to in two ways. Wherever the title of the Convention on the Safety of United Nations and Associated Personnel is cited, reference is made to "United Nations and associated personnel"; in all other instances, reference should be made to "United Nations and its associated personnel". The word "its" thus needs

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to be inserted in the appropriate places in the ninth, eleventh, twelfth, thirteenth and fourteenth preambular paragraphs and in operative paragraphs 5 and 10.

The corresponding correction — the insertion of a third- person possessive pronoun or equivalent — should be made consistently in all language versions, covering all paragraphs where the formula occurs, except of course where the name of the Convention is quoted.

The sponsors share the Secretary-General's concern at the increasing insecurity under which humanitarian personnel and other United Nations associated personnel have to conduct their duties in the field. The numerous incidents in which humanitarian personnel have lost their lives this year have again testified to the intolerable level of risk often involved in humanitarian action. This seriously hinders the ability and effectiveness of the Organization to provide protection and assistance to civilians. Without safe and secure access for humanitarian personnel, the suffering of civilians and vulnerable populations can only increase.

The aim of the sponsors was to strengthen the text of the draft resolution relative to last year's in order to reflect the sense of urgency with regard to measures needed to enhance the safety and security of humanitarian personnel, including locally recruited personnel. The lengthy negotiations resulted in a stronger text, which we hope will lead to practical measures to enhance the safety and security of personnel.

I would like to comment on some of the new elements contained in this year's draft resolution. The draft resolution recalls the primary responsibility of Governments for the security and protection of humanitarian personnel and calls upon them to ensure the safe and unhindered access of humanitarian personnel to populations in need of assistance. It also urges all other parties involved in armed conflicts to ensure the security and protection of personnel. It recognizes that the appropriate modalities for the safety and security of humanitarian, United Nations and its associated personnel are to be incorporated into all new and ongoing United Nations field operations and that the Office of the United Nations Security Coordinator needs to be strengthened.

With regard to legal protection, the draft resolution recognizes the urgency of consulting further to address the recommendations contained in the Secretary-General's report (A/54/154/Add.1), and requests the Secretary-General to submit by May 2000, for the consideration of the General Assembly, a report containing a detailed analysis and recommendations addressing the scope of legal protection under the 1994 Convention on the Safety of the United Nations and Associated Personnel. The draft resolution also contains a request to the Secretary-General to submit to the General Assembly at its fifty-fifth session a comprehensive report on the safety and security situation of humanitarian personnel and protection of United Nations personnel, including an account of the measures taken by Governments and the United Nations in the prevention of and in response to individual security incidents.

Finally, I would like to take this opportunity to express my sincere thanks to all the delegations that actively took part in the negotiations on this draft resolution, as well as to the representatives of the Secretariat for their valuable advice. We are looking forward to continued cooperation to further enhance the safety and security of humanitarian and other United Nations personnel.

Now I will turn to the draft resolution "Assistance to the Palestinian People", contained in document A/54/L.52. The authors of this draft resolution continue to attach particular importance to providing assistance to the Palestinian people.

In this draft resolution, the General Assembly expresses its appreciation to the Secretary-General, the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations for their efforts and continuous assistance to the Palestinian people.

Furthermore, the General Assembly calls upon relevant organizations and agencies of the United Nations system to intensify their assistance in order to meet the urgent needs of the Palestinian people in accordance with priorities set forth by the Palestinian Authority, with an emphasis on institution- and capacity-building. It also calls upon the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs.

The draft resolution notes the appointment by the Secretary-General of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority. We hope that this appointment will have a

positive impact on questions related to assistance to the Palestinian people.

The draft resolution welcomes the meeting of the consultative group in Frankfurt on 4 and 5 February 1999, in particular the pledges of the international donor community and the presentation of the Palestinian Development Plan for the years 1999-2003.

Furthermore, the recent meeting of the Ad Hoc Liaison Committee held at Tokyo on 14 and 15 October 1999, and the signing of the updated Tripartite Action Plan and the proposal to hold the next meeting in Lisbon are welcomed in the draft resolution.

It is the hope of the authors this draft resolution, like those of previous years, can be adopted without a vote.

The President: I give the floor to the representative of the Russian Federation to introduce draft resolution A/54/L.66.

Mr. Nebenzia: (Russian Federation) (*spoke in Russian*): The Russian delegation has the honour of introducing draft resolution A/54/L.66, entitled "Humanitarian assistance to the Federal Republic of Yugoslavia". We consider this draft resolution extremely timely. As is rightly pointed out in the United Nations Consolidated Inter-Agency Appeal for the South-Eastern Europe Humanitarian Operation, January to December 2000, this winter will test the humanitarian community's capacity to respond to large-scale needs against the background of a chronic worsening of the humanitarian situation in the Federal Republic of Yugoslavia. Problems of refugees and internally displaced persons, winter energy shortage and damaged infrastructure all make this country increasingly dependent on outside humanitarian assistance.

As is stressed in the appeal, principles of humanity, neutrality and impartiality, without political conditions, guide the provision of humanitarian assistance and protection. We appreciate the fact that the Member States, by supporting this draft resolution, have demonstrated their adherence to these principles. At the same time we consider the adoption of this draft resolution only a first step in the right direction, since, as pointed out in the Appeal itself, we are dealing with a complex humanitarian emergency affecting the whole region, and in this context there is an unavoidable linkage between emergency relief, rehabilitation and the development of the region. One of the very first steps in addressing the complex emergency problems of the Balkan region and, first and foremost, of the Federal Republic of Yugoslavia, has been taken in the agreed conclusions adopted by the Economic and Social Council in its humanitarian segment. In the context of transition from complex humanitarian emergencies, the Economic and Social Council stressed the importance of a coherent regional strategy and the need for a coordinated and comprehensive approach by the United Nations and other interested partners in planning the transition from humanitarian emergency assistance to rehabilitation and reconstruction in the Balkans.

Draft resolution A/54/L.66, noting the efforts already undertaken to evaluate the situation and the needs of the Federal Republic of Yugoslavia, calls upon all States and intergovernmental and non-governmental organizations to provide humanitarian assistance to alleviate the humanitarian needs of the affected population in the Federal Republic of Yugoslavia, especially during the winter months, in particular bearing in mind the special situation of women, children and other vulnerable groups.

The Secretary-General is called upon to continue to mobilize international humanitarian assistance for the Federal Republic of Yugoslavia. A separate paragraph is devoted to internally displaced persons and refugees, of whom there are more than 7,000 in the Federal Republic of Yugoslavia. We consider it very important to support programmes to ensure the humanitarian needs of these groups of people.

We also draw attention to the reference in the draft resolution to the report of the Special Rapporteur of the Commission on Human Rights and to the need to prevent attacks on ethnic minorities. We believe that the leaders of the Kosovo Force and the United Nations Interim Administration Mission in Kosovo should pay special attention to these provisions.

The Consolidated Appeal for the Federal Republic of Yugoslavia for the year 2000 amounts to more than $450 million. We hope that the adoption of this draft resolution will facilitate the implementation of that Appeal and lead to the full funding of the projects contained therein.

In conclusion, allow me to express our gratitude to the Chairman of the humanitarian steering group, Ambassador Jørgen Bøjer of Denmark, to the sponsors and to all Member States that supported the draft resolution and facilitated agreement on it during informal

consultations. We hope that this draft resolution will be adopted without a vote.

The President: I now give the floor to the representative of Ukraine to introduce draft resolution A/54/L.67.

Mr. Yel'chenko (Ukraine): I have the honour to introduce to the General Assembly the draft resolution entitled "Economic assistance to the Eastern European States affected by the developments in the Balkans", contained in document A/54/L.67. I am pleased to announce that this draft resolution has been sponsored by the following delegations: Bulgaria, Cyprus, Greece, Hungary, Romania and the Republic of Macedonia.

I would like to avail myself of this opportunity to express our sincere appreciation to the sponsors and to all delegations whose constructive participation in the informal consultations resulted in the consensus text of the draft resolution.

The purpose of this draft resolution is simple and obvious: to help the Eastern European States affected by the developments in the Balkan region to solve their special economic problems, in particular in the sphere of regional trade and economic relations, and — what is particularly important to the countries of the region — to resume navigation on the Danube river. The need and urgency of such assistance to these States is clearly stated by the Secretary-General in his report contained in document A/54/534, which is taken note of in the draft resolution.

The draft resolution stresses the importance of the already established regional cooperation initiatives and assistance arrangements and welcomes the support already provided by the international community to the affected States to assist them in coping with their special economic problems during the transition period following the lifting of the sanctions pursuant to Security Council resolution 1074 (1996) of 1 October 1996, as well as in the process of economic adjustment following the developments in the Balkans.

It welcomes the adoption of the Stability Pact for South-Eastern Europe and stresses the importance of its effective implementation and of follow-up activities aimed, *inter alia*, at economic reconstruction, development and cooperation, including economic cooperation in the region and between the region and the rest of Europe.

The draft resolution invites all States and the relevant international organizations to continue to take into account the special needs and situations of the affected States in providing support and assistance to their efforts for economic recovery, structural adjustment and development.

It also encourages the affected States of the region to continue the process of multilateral regional cooperation in such fields as transport and infrastructure development, including the resumption of navigation on the Danube, as well as to foster conditions favourable to trade and investment in all the countries of the region.

As regards facilitating the participation of interested local and regional vendors in the efforts for reconstruction, recovery and development of the region, the draft resolution invites the relevant international organizations to take appropriate steps aimed at broadening their access, consistent with the principle of efficient and effective procurement and with General Assembly resolution 54/14.

In conclusion allow me to express my sincere hope that this draft resolution will gain the broadest possible support and will be adopted by consensus.

The President: I now give the floor to the representative of Canada to introduce draft resolution A/54/L.68.

Mr. Von Kaufmann (Canada): The delegation of Canada has the honour today of introducing the draft resolution on assistance for humanitarian relief, rehabilitation and development for East Timor. We are introducing this draft resolution on behalf of the sponsors listed in document A/54/L.68, as well as the additional sponsors: Belgium, Finland, Greece, Guinea-Bissau, Mozambique and South Africa.

I would first like to draw the Assembly's attention to certain typographical errors contained in document A/54/L.68 as issued. First, in operative paragraph 4, the word "crises" should be "crisis". Secondly, the word "western" should be "West" where the word appears in operative paragraph 9, operative paragraph 10, and operative paragraph 11.

The purpose of this draft resolution is simple and clear: to demonstrate the solidarity of the international community with the people of East Timor in their efforts

to build an independent and prosperous country with the support of the United Nations and the peoples of the world.

To this end, the draft resolution reflects the commitment of the international community to support the crucial humanitarian assistance and emergency rehabilitation component of the mandate of the United Nations Transitional Administration in East Timor, established in Security Council resolution 1272 (1999).

The achievement of this objective necessitates the commitment, reflected in the draft, to ensure safe and unimpeded access for humanitarian assistance to all affected East Timorese in need, wherever they may be.

Likewise, the draft resolution emphasizes the need to ensure that displaced and refugee East Timorese are able to exercise their right to voluntarily return to East Timor or resettle elsewhere, should they so choose.

In presenting the draft for the Assembly's approval, the Canadian delegation would like to express its sincere appreciation to the sponsors and to all other Member States for their support in achieving consensus on this text.

In particular, Canada would like to express its appreciation for the constructive contribution of the delegation of Indonesia to this effort. We hope that the draft resolution will represent a step forward in the process of reconciliation, as exemplified by Indonesian President Abdurrahman Wahid and East Timorese leaders Xanana Gusmão and José Ramos-Horta at their historic meeting of 30 November in Jakarta.

We thus commend this draft for adoption by the General Assembly without a vote.

The President: I now call on the representative of Grenada to introduce draft resolution A/54/L.69.

Mr. Stanislaus (Grenada): I have the honour to introduce on behalf of the sponsors listed in document A/54/L.69 and these additional co-sponsors — Cameroon, Ireland, Paraguay and the United Kingdom — the draft resolution entitled "Emergency assistance to countries affected by hurricanes Jose and Lenny", under agenda item 20 (b).

The draft resolution seeks humanitarian assistance for the small island developing States and Territories of Antigua and Barbuda, Anguilla, the Commonwealth of the Bahamas, the State of Grenada, Carriacou and Petit Martinique, St. Kitts and Nevis, the Netherlands Antilles, Saint Lucia and Saint Vincent and the Grenadines, battered by hurricanes Jose and Lenny, either directly or indirectly. The sudden and massive rise of mountainous waves in some areas resulted in loss of biodiversity and the destruction of land resources and the marine and coastal ecosystems.

The frequency, severity and unpredictability of these natural disasters — hurricanes, earthquakes, volcanoes, floods, drought and so on — in the area are akin to the sword of Damocles hanging over the region, ready to strike at the vulnerable Achilles heel of the small island developing States. Hurricane Lenny, in particular, is a prime example of the unpredictability of these disasters. Lenny stole into the region like a thief very late in the hurricane season. He also chose a different route of attack by springing up in the Caribbean basin rather than coming across the Atlantic, where hurricanes usually originate.

Secretary-General Kofi Annan, in his recent report to the General Assembly on the work of the Organization, introduced his substantive and eloquent treatise with the title phrase "Facing the Humanitarian Challenge". The Secretary-General said:

> "The world has experienced three times as many great natural disasters in the 1990s as in the 1960s, while emergency aid funds have declined by 40 per cent in the past five years". (*A/54/1, para. 4*)

The costly restoration of infrastructure and rehabilitation of the productive sectors, particularly agriculture and tourism, make the attainment of sustainable development in the affected islands an Herculean task, not unlike the labour of Sisyphus, whereby, as soon as we recover, we are hit again. We rebuild and we are destroyed again with repetitive frequency. And it is important to note that all of this is taking place at a time when some small island developing States are being graduated out of concessional loan arrangements and various other financing mechanisms for development.

We extend grateful appreciation to those States, international agencies and non-governmental organizations that are providing emergency relief to the affected countries and territories, but the magnitude of the rebuilding effort is beyond the ability of the small island developing States to undertake alone. We appeal, therefore, to the international community and to friendly

countries for immediate assistance in the developing, financing and executing of a holistic approach to the medium- and long-term plans in order to restore structural and financial viability to the affected islands.

These countries and territories recognize the importance of building national and regional capacity in disaster preparedness and management. For this reason, we have included in this draft resolution a reference to the holding of a regional workshop that should bring together disaster preparedness and management experts with specialists in various other fields, including environment, structural engineering and development planning.

In September this year, the General Assembly held the twenty-second special session on the review and appraisal of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States. We believe that implementation of draft resolution A/54/L.69 should be seen as part of the rationalization of the work of the General Assembly. As such, the present draft resolution must be viewed within the process of implementation of the outcome of the special session and the Barbados Programme of Action. With this in mind, we have asked the Secretary-General to include in his report to the next session of the General Assembly information on the linkages between implementation of the present draft resolution and implementation of the outcome of the twenty-second special session and the Barbados Programme of Action.

Perhaps it is fortuitous that this draft resolution on humanitarian assistance is being introduced to the international community when the three monotheistic faiths — Christianity, Islam and Judaism — are celebrating their festivals, the central theme of which is giving, caring and sharing.

The message of Christmas is to bring glad tidings to the poor and to set captives free. Embodied in the fasting during the Islamic holy month of Ramadan is the feeling of compassion for those who are hungry and less fortunate. During the Jewish festival of Lights, Hanukkah, gifts are exchanged and contributions made to the poor. The immortal Charles Dickens, in his masterpiece *A Christmas Carol*, had this to say:

> "Christmas is the only time I know of, in the long calendar of the year, when men and women seem by one consent to open their shut-up hearts freely, and to think of people below them as if they were really fellow-passengers to the grave."

The great man of science and culture, Leonardo da Vinci, said:

> "In a moment of crisis we should regard ourselves as passengers in the same vessel, tossed by the same high waves and facing the same destiny and the same struggle."

Let me here express grateful appreciation to all the sponsors of draft resolution A/54/L.69 for their invaluable and generous assistance given in the spirit of genuine cooperation, under the chairmanship of the Ambassador of Denmark.

In conclusion, the sponsors express the hope that the draft resolution will be adopted by consensus so that the humanitarian assistance sought may be forthcoming in the spirit of international solidarity. For our affected countries and territories, we honestly feel that this is not a time for pessimism that sees no possibilities. It is a time for hope and expectation.

The President: I should like to inform members that action on draft resolution A/54/L.70 will be taken at a later date to be announced to permit time for the review of the programme budget implications of that draft resolution.

I should like to announce that, since the introduction of draft resolution A/54/L.66 on humanitarian assistance to the Republic of Yugoslavia, Greece has become a co-sponsor.

We shall now proceed to consider draft resolutions A/54/L.29/Rev.1, A/54/L.66, A/54/L.67, A/54/L.68, A/54/L.69 and A/54/L.52.

The Assembly will first take a decision on the six draft resolutions submitted under sub-items (b) and (e) of agenda item 20. Under sub-item (b), the Assembly will take a decision on draft resolutions A/54/L.29/Rev.1, A/54/L.66, A/54/L.67, A/54/L.68 and A/54/L.69.

Draft resolution A/54/L.29/Rev.1 is entitled "International assistance to and cooperation with the Alliance for the Sustainable Development of Central America". I should like to announce that since its introduction, the following countries have become sponsors of draft resolution A/54/L.29/Rev.1: Argentina, Ireland, Italy, Norway, Portugal, Spain and Venezuela.

May I take it that the Assembly decides to adopt draft resolution A/54/L.29/Rev.1?

Draft resolution A/54/L.29/Rev.1 was adopted (resolution 54/96 E).

The President: Draft resolution A/54/L.66 is entitled "Humanitarian assistance to the Federal Republic of Yugoslavia". May I take it that the Assembly decides to adopt draft resolution A/54/L.66?

Draft resolution A/54/L.66 was adopted (resolution 54/96 F).

The President: Draft resolution A/54/L.67 is entitled "Economic assistance to the Eastern European States affected by the developments in the Balkans". May I take it that the Assembly decides to adopt draft resolution A/54/L.67?

Draft resolution A/54/L.67 was adopted (resolution 54/96 G).

The President: Draft resolution A/54/L.68 is entitled "Assistance for humanitarian relief, rehabilitation and development for East Timor". May I take it that the Assembly decides to adopt draft resolution A/54/L.68, as orally corrected?

Draft resolution A/54/L.68, as orally corrected, was adopted (resolution 54/96 H).

The President: Draft resolution A/54/L.69 is entitled "Emergency assistance to countries affected by hurricanes Jose and Lenny". May I take it that the Assembly decides to adopt draft resolution A/54/L.69?

Draft resolution A/54/L.69 was adopted (resolution 54/96 I).

The President: Under sub-item (e), the General Assembly will now take a decision on draft resolution A/54/L.52, entitled "Assistance to the Palestinian people". May I take it that the Assembly decides to adopt draft resolution A/54/L.52?

Draft resolution A/54/L.52 was adopted (resolution 54/116).

The President: I shall now call on those representatives who wish to speak in position on the draft resolutions just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Marsh (United States of America): My delegation reluctantly joined the consensus on the resolution entitled "Humanitarian assistance to the Federal Republic of Yugoslavia". The United States regrets that the nomenclature used in the General Assembly in referring to this State has not been followed. In several resolutions of previous years, and in earlier action of the fifty-fourth session of the General Assembly, the State in question has been correctly referred to as "the Federal Republic of Yugoslavia (Serbia and Montenegro)". It is the position of my delegation that the General Assembly should be consistent with that previous and long-standing practice. Such nomenclature reinforces the point that the current State of the Federal Republic of Yugoslavia is not the successor State for the former, and no longer existent, Socialist Federal Republic of Yugoslavia, but merely represents the portions of that former State that are the Republics of Serbia and Montenegro.

The General Assembly has made this position clear since 1992 by refusing to allow any representative of the State that now styles itself the Federal Republic of Yugoslavia to take part in any United Nations deliberation or, literally, to take a seat at United Nations meetings. The General Assembly should not permit any alteration in the proper designation of the name of the Federal Republic of Yugoslavia (Serbia and Montenegro) until that State has formally applied to become a legitimate and recognized member of the United Nations. This is a matter of importance to many States in the Balkan region.

My delegation further notes that Slobodan Milosevic and his undemocratic regime are directly responsible for Serbia's isolation from the international community and therefore for any resulting humanitarian needs there. This resolution should be viewed in the context of the causes of the current situation in the Federal Republic of Yugoslavia (Serbia and Montenegro), causes that are directly attributable to Mr. Milosevic.

Mr. Moniaga (Indonesia): I would like to make a few remarks on resolution 54 H, on assistance for humanitarian relief, rehabilitation and development for East Timor, which was just adopted and on which Indonesia joined the consensus.

Let me begin by expressing appreciation to all the delegations that made considerable efforts with regard to the draft resolution, especially to the delegations of Canada, Japan and interested members of the Group of 77. Indonesia worked with them on the draft resolution and moved the process forward in order to accommodate the humanitarian aspects and to arrive at a consensus resolution.

We believe the resolution will contribute to alleviating the plight of the East Timorese, as it not only recognizes important principles of humanitarian assistance, but also addresses the unfortunate situation on the ground.

Likewise, the resolution recognizes the contribution that Indonesia, as the host country, is making to resolve the problem, and it welcomes the efforts that are being made by the United Nations and other members of the international community to address the humanitarian needs of the people of East Timor.

I believe all of these efforts can only have a positive impact on the region and create the necessary conditions for future amicable development.

Indonesia had made efforts to solve the problem of the humanitarian situation of the East Timorese. The Government of Indonesia made an immediate response by undertaking a massive humanitarian operation that has supplied food, medicine and shelter. Indonesia also provided its full cooperation to international humanitarian relief agencies and requested the United Nations Development Programme office in Jakarta to coordinate these efforts. Indonesia has been working closely with the Office of the United Nations High Commissioner for Refugees to ensure the safety, health and well-being of all East Timorese refugees.

Indonesia is now working to accelerate the return of East Timorese refugees to East Timor, particularly those who want to return voluntarily and, with their return, to begin the process of stability and development so urgently needed. In working on the process of overcoming this humanitarian situation, we will provide all the assistance within our capacity, and we will continue our long tradition of rendering aid to those in need.

Through this resolution, our goal and commitment are to ensure that the funds allocated and the efforts made by the international community and by the United Nations are for the direct benefit of the East Timorese. These efforts should be carefully crafted to bring about a maximum return on the input and to limit to the extent possible the dilution of any assistance.

I would like to underline that Indonesia has always maintained that the preferred resolution of any refugee crisis is through voluntary repatriation. We consider that the options provided to East Timorese to return to East Timor, to remain in West Timor or to relocate to other parts of Indonesia, or to other countries, will contribute to a resolution of the crisis. I would like to note that this resolution addresses the humanitarian needs of all East Timorese, regardless of the option taken. Humanitarian assistance will be on a non-discriminatory basis for all East Timorese, including those who wish to remain in Indonesia.

We must now look forward to a future of close bilateral relations with East Timor, which is still under transitional administration and will become an independent State in the future, thus opening a new chapter of cooperation and mutual relations. I believe that the humanitarian efforts under way today will build the foundations of tomorrow.

It is my delegation's express desire that, through this resolution, the process of healing will be furthered and the peace and stability of the region further strengthened. As the world's attention is often fleeting, we hope that the goals of the resolution will all be met and the humanitarian situation of all East Timorese greatly improve.

Miss Rizk (Syrian Arab Republic) (*spoke in Arabic*): My delegation joined the consensus on resolution 54/116, "Assistance to the Palestinian people", which was just adopted. My delegation supports the operative paragraphs calling for assistance to the Palestinian people, proceeding from the support of the Syrian Arab Republic for efforts to assist the Palestinian people to develop and improve their living conditions.

However, my delegation has some reservations on some of the preambular paragraphs of the resolution just adopted, as we believe that they do not accurately or comprehensively reflect the difficulties facing the Middle East peace process.

The Syrian Arab Republic believes that the right path to the economic and social development of the Palestinian people and to alleviating the plight of that people requires the elimination of the genuine reason of their plight and suffering: the continuing Israeli

occupation and, specifically, the colonialist settlement policies of the occupying Power.

Mr. Shacham (Israel): This year, as in years past, Israel joined the consensus on the resolution entitled "Assistance to the Palestinian people", and I would like to explain our position in this regard.

As we pointed out in our statement on this item, Israel is committed to the goal of enhancing the economic growth and welfare of the Palestinian people, which we see as an investment in a better future for the people of the region. This goal has been translated into a primary component of Israeli policy, which includes direct economic assistance to the Palestinians, cooperation on development and a wide variety of other projects that have yielded substantial results on the ground.

We welcome the concerted efforts of Member States, international financial institutions and intergovernmental and non-governmental organizations to aid in the development efforts. Israel has been fully cooperating with the United Nations Development Programme, the United Nations Relief and Works Agency and the United Nations Children's Fund, as well as with other international organizations, in implementing programmes aimed at improving the living conditions of the Palestinians in the West Bank and Gaza.

In this respect, it should be pointed out that Israel shares the hope that the United Nations Special Coordinator in these areas can assist in the crucial sphere of economic growth, enrichment and investment in the future. Israel is ready to cooperate with the Special Coordinator in this sphere.

Israel's participation in the consensus on the resolution should not be construed as implying any position regarding the present status of the areas referred to as occupied territory. Additionally, our support does not carry any implication regarding Israel's position on the permanent status of those territories — which, in accordance with all Israeli-Palestinian agreements, including the recent Sharm el-Sheikh Memorandum — is a matter to be negotiated between Israel and the Palestinians in the framework of the permanent status negotiations, which are now under way.

With regard to the comments made by my Syrian colleague, direct negotiations have restarted today in Washington between Israel and the Syrian Arab Republic. These talks join the ongoing negotiations that we are currently carrying out with our Palestinian neighbours. Israel believes that it is in the common interests of all the parties actively engaged in the negotiation of peace in the Middle East to aspire to the language of peace and the dialogue of reconciliation, not only in the negotiating room but also in international forums such as the United Nations General Assembly. In the light of this conviction — and in the interest of pursuing a new code of conduct between us — I would like to take this opportunity not to reply and would like to call this lack of reply to the attention of my Syrian colleague, as well as to the attention of the General Assembly.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): Russia welcomes the adoption of resolution 54/96 G, entitled "Economic assistance to the Eastern European States affected by the developments in the Balkans" as an important step in the world community's recognition of the importance of an integrated approach to problems in the Balkan region, which has suffered as a result of the recent events around the Federal Republic of Yugoslavia.

We feel that there can be no doubt that the country most seriously affected by the recent and well-known events around the Federal Republic of Yugoslavia is the Federal Republic of Yugoslavia itself. Only comprehensive and coordinated action by the world community providing for the integration of the Federal Republic of Yugoslavia into the transition process from emergency assistance to rehabilitation, reconstruction and development can guarantee durable progress towards stability and recovery in the Balkans.

As noted in the United Nations Consolidated Inter-Agency Appeal for South-Eastern Europe for the period January-December 2000, we are dealing with a complex emergency situation affecting an entire region. In this context, there is an inextricable link between emergency assistance, rehabilitation and development in the entire region.

We are pleased that the process of recognition is expanding. Thus, the resolution adopted recently by the General Conference of the United Nations Industrial Development Organization (UNIDO) entitled "The region of Europe and the newly independent States" notes the importance of widespread international efforts for a speedy commencement of the process of transition from assistance for rehabilitation, reconstruction and the genuine development of the Balkan region. It also contains an appeal to the Director-General of that organization to render assistance to the Balkan region in

the rehabilitation and development of its industrial infrastructure.

In this context, we would like to note in particular the invitation in General Assembly resolution 54/96 G to all States and relevant international organizations, both within and outside the United Nations system, in particular the international financial institutions, to continue to take into account the special needs and situations of the affected States in providing support and assistance to their efforts for economic recovery, structural adjustment and development.

We are grateful to the sponsors of the resolution for initiating consideration of this urgent topic within the United Nations. We reaffirm our position that account should be taken of the special economic problems of all the countries of Eastern Europe in implementing the resolution, including States that do not directly belong to the Balkan region but that have also suffered from events there — *inter alia*, as a result of adverse effects on regional trade and navigation on the Danube.

The President: We have heard the last speaker in explanation of position.

Mr. Satoh (Japan): I would like to refer to resolution 54/96 H, on East Timor, which has just been adopted. This resolution is very timely indeed, for it has been adopted at a time when the United Nations Transitional Administration in East Timor (UNTAET) has just commenced its activities. More importantly, the two-day donors' meeting to raise funds for UNTAET will start tomorrow in Tokyo. We highly appreciate the initiative of the Canadian Government in putting this resolution forward.

We also applaud the Indonesian Government for its active participation in the process of formulating the resolution and seeing it through to adoption. We are very much encouraged by this positive attitude of the Indonesian Government, for friendly relations with neighbouring countries will be vitally important for the future peace and prosperity of East Timor.

I am pleased to inform the Assembly that the Japanese Diet has just recently approved a supplementary budget of approximately $200 million for assistance to East Timor. This includes $100 million to be spent for the purpose of facilitating the participation of Asian and other developing countries' officers and soldiers in the International Force. The other $100 million includes the assessed contribution of $60 million for UNTAET and $28 million for humanitarian assistance to be made in response to the United Nations Consolidated Inter-Agency Appeal and the appeal of the International Committee of the Red Cross.

In the area of humanitarian assistance, Japan has already provided $2 million to the Office of the United Nations High Commissioner for Refugees (UNHCR) and to the World Food Programme for initial humanitarian needs, and the aircraft of the Japanese Self-Defence Forces have been engaged in the airlifting of aid materials from Surabaya to West Timor for UNHCR activities. The remaining $12 million of the supplementary budget will be used for the purpose of rehabilitation and development. Japan intends to pledge a further substantial contribution for the same purpose at the Tokyo donors' meeting to be held tomorrow.

As I stressed in my statement on the occasion of the Security Council's adoption of the resolution establishing UNTAET, reconciliation among the peoples of East Timor is essential for the successful nation-building of the emerging new country. I am therefore pleased to inform the Assembly that a meeting for reconciliation was held in Tokyo yesterday and today, attended by the representatives of both sides: those who are in favour of independence and those in favour of integration. The Japanese Government is pleased to have given support for the convening of that meeting, and we hope that reconciliation among the East Timorese will be attained quickly so that many of them who remain outside East Timor will return to join the nation-building of their own country.

In conclusion, I would like to reaffirm the continued commitment of the Japanese Government to support UNTAET and the East Timorese people.

The President: I shall now call on those representatives who wish to speak in exercise of the right of reply.

Mr. Jilani (Palestine) (*spoke in Arabic*): We would like, at the outset, to express our thanks to the member States of the European Union that have co-sponsored the resolution entitled "Assistance to the Palestinian people", as well as to the Member States of the United Nations that joined the consensus on the resolution.

We regret the statement made by the representative of Israel with regard to this resolution. We would like to stress that both the peace negotiations and the interim agreements are built upon Security Council resolutions

242 (1967) and 338 (1973), both of which stress the principle of the inadmissibility of the acquisition of land by force. Furthermore, many other resolutions have been adopted at the United Nations — including 24 by the Security Council alone — that stress the applicability of the Fourth Geneva Convention to all occupied Palestinian territories, including Jerusalem.

We also regret that the representative of Israel continues to ignore the fact of the existence of a Palestinian people, which he could not even bring himself to mention.

Finally, I would like to say that the agreements that have been signed by both parties, and the final status negotiations, must take into account international law and the United Nations Charter and be in conformity with the resolutions of the Security Council and the General Assembly.

Mr. Shacham (Israel): I would like to reiterate Israel's belief that it is in the common interest of all the parties actively engaged in the negotiation of peace in the Middle East to aspire to the language of peace and the dialogue of reconciliation, not only in the negotiating room but also in international forums such as the United Nations General Assembly.

In the light of this conviction, and in the interest of pursuing a new code of conduct between us, I would like again to take this opportunity not to reply and would like to call this lack of reply to the attention of the Palestinian observer delegation, which represents the primary beneficiaries of the resolution on assistance to the Palestinian people, as well as to the attention of the General Assembly.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (a) and (e) of agenda item 20?

It was so decided.

The President: I should like to inform members that the Assembly will take action on other draft resolutions submitted, or to be submitted, under agenda item 20 and its sub-item (b) at a later date, to be announced.

Agenda item 30 *(continued)*

Cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Draft resolution (A/54/L.64)

Amendment (A/54/L.65)

The President: Members will recall that the General Assembly held a debate on this item at its 70th plenary meeting, on 6 December 1999.

I give the floor to the representative of Norway to introduce draft resolution A/54/L.64.

Mr. Kolby (Norway): In my capacity as representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), I have the honour to take the floor to introduce draft resolution A/54/L.64, on cooperation between the United Nations and the Organization for Security and Cooperation in Europe on behalf of the 46 listed sponsors. In addition, Albania and the Republic of Korea have asked to be listed as sponsors.

As a nation with a long-standing commitment to international security, Norway has been proud to have opportunity to serve as Chairman-in-Office of the OSCE over this past year and to shoulder our share of the responsibility for security and peace in the OSCE region.

The efforts of the OSCE over the past year culminated in the OSCE Summit in Istanbul last month. In his address to the General Assembly on 6 December the Norwegian Foreign Minister, Mr. Knut Vollebaek, briefed the General Assembly on the outcome of the Summit and expressed his appreciation for the participation of Secretary-General Kofi Annan at the Summit. Foreign Minister Vollebaek recalled the Secretary General's address to the Summit in Istanbul, in which he challenged the OSCE to contribute to the debate he launched earlier this year on ways to reconcile respect for national sovereignty with the need to prevent violations of international humanitarian law.

In many ways the Charter for European Security adopted by the Summit represents a response to that challenge, reaffirming the full adherence of the participating States of the OSCE to the Charter of the United Nations, as well as to basic OSCE commitments, including the principle of territorial integrity.

At the same time, the Charter underscores that threats to international security and stability can stem from conflicts within as well as between States. The Charter furthermore reiterates that there is no such thing

as internal affairs when commitments in the human dimension are being violated. The Charter also strengthens the conflict-prevention and crisis-management capabilities of the OSCE and facilitates closer cooperation with other international organizations such as the United Nations.

Enhancing the OSCE's cooperation with the United Nations and its agencies has been one of the priorities of the Norwegian chairmanship, with the full support of the other members of the troika — Poland and Austria. The excellent report of the Secretary-General, on which we congratulate him, fully demonstrates that cooperation has indeed intensified over the past year. This has happened not only by design; it has also been, to a large extent, driven by necessity. It is a result of the increasing demands on the ground, with the situation in Kosovo as the greatest joint challenge over the past year.

The increasing scope of cooperation between the United Nations and the OSCE is reflected in draft resolution A/54/L.64, which notes with appreciation the further improvement of cooperation and coordination between the United Nations and its agencies and the OSCE. It welcomes the adoption at the Istanbul Summit of a Charter for European Security aimed at strengthening security and stability in the region and improving the operational capabilities of the OSCE, *inter alia* by establishing a Platform for Cooperative Security.

While referring to continuing efforts by the OSCE with regard to specific conflicts in the areas of tension in the OSCE region that are of concern also to the United Nations, it highlights new developments. These include the participation of the Secretary-General's Special Representative for Children and Armed Conflict in the Istanbul Review Conference of the OSCE. Moreover, it includes the commitment of the OSCE to promote children's rights and interests in conflict and post-conflict situations, the placing of the Stability Pact for South-Eastern Europe under the auspices of the OSCE, and the cooperation between our two organizations in strengthening our regional cooperation in Central Asia.

In his address to the OSCE Summit, the Secretary-General described cooperation between the United Nations and the OSCE as a model of what could be achieved throughout the world by the United Nations working with regional organizations and arrangements. This was followed up by Foreign Minister Vollebaek in his address to the General Assembly last week, in which he expressed the hope that the new form of cooperation which has been developing in Europe could serve as a model for other parts of the world. He welcomed a dialogue between the United Nations and regional bodies on how such cooperation could be developed on a global basis.

Allow me in conclusion to express my sincere hope that this draft resolution, which is sponsored by an overwhelming majority of participating States of the OSCE, will attract the broadest possible support and be adopted by consensus.

The President: I now give the floor to the representative of Azerbaijan to introduce the amendment to draft resolution A/54/L.64, contained in document A/54/L.65.

Mr. Kouliev (Azerbaijan) (*spoke in Russian*): I should like to introduce an amendment by the delegation of the Republic of Azerbaijan, which is contained in document A/54/L.65, to draft resolution A/54/L.64, entitled "Cooperation between the United Nations and the Organization for Security and Cooperation in Europe".

Regrettably, it has become a sad tradition that the delegation of Azerbaijan, year after year, is forced to amend a draft resolution under this agenda item by proposing the text that has been previously adopted by the General Assembly. At the present session we are doing so for the fourth time. This seems to be a vicious circle. What else can be done? What else must the General Assembly do so that its agreed and adopted language can be included in a draft resolution from the very beginning?

The reasons for proposing this amendment are still pressing and valid. It is a matter of principle, and it directly concerns the highest national interests of my country, its sovereignty and its territorial integrity. Operative paragraph 16 of draft resolution A/54/L.64, which relates to the problem, is, however, different in substance from the language adopted by the General Assembly at its previous sessions. Nevertheless, acting in the spirit of compromise, the delegation of Azerbaijan has proposed the General Assembly-adopted language, not to replace operative paragraph 16 but as a new operative paragraph.

The sovereignty and territorial integrity of the Republic of Azerbaijan have been repeatedly reaffirmed by the international community, in particular by the Security Council in its resolutions on the Armenian-Azerbaijani conflict: 822 (1993), 853 (1993), 874 (1993) and 884 (1993). The Secretary-General, in his previous

and current reports on the agenda item under consideration — documents A/50/564, A/52/450, A/53/672 and A/54/537 — has unequivocally stated that Nagorny-Karabakh is an integral part of Azerbaijan.

Here I would like to express our delegation's deep regret at the fact that in his statement before the General Assembly plenary meeting on 6 December 1999, the Chairman in-Office of the OSCE failed not only to reaffirm the sovereignty and territorial integrity of my country, but also to mention a major problem facing the OSCE: the conflict between Armenia and Azerbaijan in and around the Nagorny-Karabakh region of the Republic of Azerbaijan. As a result of this conflict, 20 per cent of the territory of Azerbaijan, not of Armenia, is still under occupation, and it is Azerbaijan which has to cope with the humanitarian emergency brought about by the exodus of 1 million refugees and displaced persons.

As I mentioned earlier, the text of the amendment we are proposing is not new and is well known to all. Four times previously — at its forty-ninth, fifty-first, fifty-second and fifty-third sessions — the General Assembly adopted draft resolutions that included such an amendment. Its substance relies fully on the relevant provisions of resolution 49/13, which was adopted without a vote and by consensus, which included Armenia. It reiterates the relevant paragraph of resolutions 51/57, 52/22, and of last year's resolution 53/85.

Emphasizing the exceptional importance of this matter for our country, the delegation of Azerbaijan calls on Member States to do as they have done in the past three years in order to reaffirm their support for Azerbaijan and to adopt our amendment as contained in document A/54/L.65.

The President: We shall now proceed to consider draft resolution A/54/L.64 and the amendment thereto, contained in document A/54/L.65.

I shall now give the floor to those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Abelian (Armenia): First of all, I would like to thank the Permanent Representative of Norway for introducing, in his capacity as representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the draft resolution contained in document A/54/L.64, on cooperation between the United Nations and the OSCE.

In his report contained in document A/54/537, the Secretary-General states that the United Nations and the OSCE continue to practise the division of labour based on the comparative advantages of the two Organizations, and notes, *inter alia*, that the OSCE has retained the lead in the resolution of the Nagorny-Karabakh conflict. This approach is very much in line with our view that the present format of the Minsk Group co-chairmanship is most appropriate for the resolution of the Nagorny-Karabakh conflict, especially given the fact that the OSCE is the sole mandated and authoritative body dealing with the issue.

Since 1992, the OSCE has been actively involved, through the various permutations of the Minsk process, in defining the elements for durable peace and stability. As an advocate of a more flexible approach to the settlement, the Government of Armenia, as well as the authorities of Nagorny-Karabakh, have accepted the recent proposals of the co-Chairmen of the OSCE Minsk Group as a more realistic effort to address the issue of the status of Nagorny-Karabakh, with minimal prejudice to either of the competing claims. Regrettably, Azerbaijan has rejected those proposals. Nevertheless, we hope that the intensified dialogue between the Presidents of Armenia and of Azerbaijan will enhance the peace process and help bring about a lasting and comprehensive solution to the problem, through the resumption of negotiations within the OSCE Minsk Group, as stated in the Declaration of the recent OSCE Istanbul Summit.

Draft resolution A/54/L.64 covers the varying aspects of cooperation and interaction between the United Nations and the OSCE. In drafting this draft resolution, the Chairman-in-Office, in consultation with the sponsors of the draft resolution, followed the spirit of the Istanbul Declaration, which itself was a result of the consensus reached by all heads of State or Government, including those of Armenia and Azerbaijan.

I would therefore like to draw the attention of the Assembly to paragraph 16 of the draft resolution in A/54/L.64, which contains language that is, in fact, identical to that in paragraph 20 of the Istanbul Declaration. That portion of the Declaration was drafted with the participation and assistance of the French, Russian and American Co-Chairmen of the Minsk Group and was accepted by consensus by all Governments, including that of Azerbaijan. I would like to reiterate that

Armenia fully supports paragraph 16 and considers it the most realistic and objective reflection of the current developments.

On the other hand, the amendment contained in document A/54/L.65 imposes a compulsory framework on the peace negotiations. This amendment is, in fact, a post-Summit revision of the Istanbul Declaration. It is the view of my delegation that an attempt by an individual State to amend the Declaration with a view to adjusting it to its own interests would nullify the paramount significance of the Declaration. Therefore, Armenia will vote against the proposed amendment and will abstain in the voting on the draft resolution as a whole.

Ms. Rasi (Finland): I am speaking on behalf of the European Union. The European Union regrets that once again it is not possible to adopt the draft resolution without a vote. The draft resolution is part of a series of resolutions dealing with cooperation between the United Nations and several international and regional organizations. The European Union would have preferred to focus the discussion on the strengthening of cooperation between the OSCE and the United Nations and the improvement of coordination between the two Organizations.

As regards the substance of the amendment proposed by the delegation of Azerbaijan, the European Union underlines its full support for the Declaration of the Istanbul Summit. The European Union stresses that the draft resolution before us does not in any way alter the commitments undertaken by the OSCE at the Istanbul Summit. Therefore, the European Union will abstain in the voting on the amendment presented by Azerbaijan, and will vote in favour of the draft resolution as a whole.

The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries, Cyprus and Malta, as well as the European Free Trade Association countries members of the European Economic Area, Iceland and Liechtenstein, align themselves with this statement.

Mr. Delgado (United States of America): The three Organization for Security and Cooperation in Europe (OSCE) Minsk Group Co-Chairmen — France, the Russian Federation and the United States — believe that, due to their role in the Nagorny-Karabakh conflict settlement process, we should abstain in the voting on any amendment to the language agreed by all OSCE member States in Istanbul. Today's abstention in no way alters our commitment to a negotiated settlement of this conflict in a manner that respects the territorial integrity of all States in the region, as well as other relevant United Nations and OSCE principles.

The President: We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolution A/54/L.64 and on the amendment thereto, contained in document A/54/L.65. In accordance with rule 90 of the rules of procedure, the amendment is voted on first. The Assembly will therefore take a decision first on the amendment circulated in document A/54/L.65.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Colombia, Djibouti, Ecuador, Egypt, Georgia, Guatemala, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mexico, Morocco, Mozambique, Nepal, Oman, Pakistan, Paraguay, Peru, Qatar, Republic of Moldova, Saudi Arabia, Singapore, South Africa, Sudan, Tajikistan, Thailand, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, Uruguay, Uzbekistan, Venezuela, Yemen

Against:

Armenia

Abstaining:

Albania, Antigua and Barbuda, Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Honduras, Hungary, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka,

Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

The amendment was adopted by 55 votes to 1, with 54 abstentions.

[Subsequently the delegations of Guyana and Haiti informed the Secretariat that they had intended to vote in favour.]

The President: The Assembly will now take a decision on draft resolution A/54/L.64, as amended. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen

Against:

None

Abstaining:

Armenia, China

Draft resolution A/54/L.64, as amended, was adopted by 124 votes to none, with 2 abstentions (resolution 54/117).

[Subsequently, the delegations of Guyana and Seychelles informed the Secretariat that they had intended to vote in favour.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 30?

It was so decided.

Mr. Stanislaus (Grenada), Vice-President, took the Chair.

Agenda item 47 (*continued*)

The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

Draft resolution (A/54/L.24/Rev.1)

Report of the Fifth Committee (A/54/662)

The Acting President: The report of the Fifth Committee on the programme budget implications of draft resolution A/54/L.24/Rev.1 is contained in document A/54/662.

We shall now proceed to take action on draft resolution A/54/L.24/Rev.1. May I take it that the General Assembly decides to adopt the draft resolution?

Draft resolution A/54/L.24/Rev.1 was adopted (resolution 54/118).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 47.

Agenda item 76 (*continued*)

General and complete disarmament

Report of the First Committee (A/54/563, para. 64, draft resolution Q)

Report of the Fifth Committee (A/54/663)

The Acting President: The report of the Fifth Committee on the programme budget implications of draft resolution Q is contained in document A/54/663.

May I remind members that under paragraph 7 of decision 34/401 the Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations too that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we take action on draft resolution Q, I should like to advise representatives that we are going to proceed to take a decision in the same manner as was done in the Committee, unless the Secretariat is notified otherwise in advance. This means that where a recorded or separate vote was taken in the Committee, the General Assembly will do the same.

The Assembly will now take a decision on draft resolution Q, entitled "Small arms". A separate vote has been requested on the eighth preambular paragraph of draft resolution Q. If there are no objections to this request, I shall first put to the vote the eighth preambular paragraph of draft resolution Q.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, Gambia, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Qatar, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, Venezuela, Yemen

Against:

Russian Federation

Abstaining:

Azerbaijan, France, India, Israel, Monaco, Portugal, Republic of Moldova, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The eighth preambular paragraph of draft resolution Q was retained by 96 votes to 1, with 11 abstentions.

[Subsequently the delegations of Belarus, Guyana, Maldives, Portugal, Republic of Korea and Turkey informed the Secretariat that they had intended to vote in favour.]

The Acting President: I now put to the vote draft resolution Q as a whole.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Canada, Cape Verde, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia,

Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Venezuela, Yemen

Against:
None

Abstaining:
Lebanon, Russian Federation

Draft resolution Q was adopted by 119 votes to none, with 2 abstentions (resolution 54/54 V).

[Subsequently, the delegations of Belarus, Guyana, Maldives and Seychelles informed the Secretariat that they had intended to vote in favour.]

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 76?

It was so decided.

The Acting President: The Assembly has thus concluded its consideration of all the reports of the First Committee.

Agenda item 42

The situation in Bosnia and Herzegovina

Report of the Secretary-General (A/54/549)

Draft resolution (A/54/L.63/Rev.1)

The Acting President: I should like to inform Members that consideration of draft resolution A/54/L.62 is postponed to a future date.

I now give the floor to the representative of Jordan to introduce draft resolution A/54/L.63/Rev.1.

Prince Al-Hussein (Jordan): On behalf of the sponsors, I have the honour of introducing the draft resolution contained in document A/54/L.63/Rev.1, under agenda item 42, entitled "The situation in Bosnia and Herzegovina".

First, however, I would like to make a correction to operative paragraph 15 of the draft resolution. After the words "notes with deep concern", the following four words, "some of the revelations", should be deleted and replaced with two words, "the findings". The next four words after that, "contained in the report", should be retained. But then the words "associated with the conception, development and implementation of the safe area policy" should be deleted. Finally, at the end of the paragraph, please add "of the Secretary-General", so it reads "as recommended in the report of the Secretary-General".

I also have the honour to add to the list of sponsors of draft resolution A/54/L.63/Rev.1 the following countries: Austria, Bangladesh, Belgium, Brunei Darussalam, the Czech Republic, Denmark, Djibouti, Finland, France, Greece, Ireland, Italy, Luxembourg, Norway, Oman, Portugal, Qatar, Romania, Spain, Sweden, Tunisia, the United Kingdom and the United States.

The draft resolution before us expresses the full support and commitment of the General Assembly to the advancement of the peace process in Bosnia and Herzegovina and to the achievement of a self-sustaining, lasting reconciliation there through the full, comprehensive and consistent implementation of the Dayton/Paris Peace Agreement and the subsequent Peace Implementation Council declarations.

Of the paragraphs in the draft resolution before us, operative paragraph 15 is, to the sponsors, the most significant of all. I would therefore like to introduce and explain in greater detail why that particular paragraph is structured the way it is.

Operative paragraph 15 is, as can be seen, divided into six parts. The first part relates to our appreciation of

the effort invested by the Secretary-General in compiling a 137-page report, together with a 10-page assessment, on the failed United Nations safe-area policy in Bosnia and Herzegovina. That report, the Srebrenica report, requested by the General Assembly in resolution 53/35 of 30 November 1998, is extraordinary by any measure. That delegations will have their own interpretations of the evidence contained within it and that some will dispute the Secretary-General's assessment is not in doubt. But no one can take away from the Secretary-General the impressive nature of the report itself, in which virtually all of the evidence cited is either a matter of public record or documented. The General Assembly requested a comprehensive report, and it received one. That we must welcome. In the opinion of the sponsors, anything short of such an expression of appreciation would have been inappropriate, given the efforts of the Secretary-General.

In addition to the comprehensive nature of the report, the Secretary-General also broke with four years of United Nations silence on the subject of Srebrenica, and, with an honesty that deserves our appreciation, he exposed to scrutiny his own conduct and the conduct of the Secretariat, as well as the actions of the Security Council and the Member States. We must recognize and grasp the unique significance of this, the acknowledgement of which is captured in the second part of the paragraph.

Essentially, what the Secretary-General wrestled with in his report was not the occurrence of yet another act of barbarism, a tragic massacre somewhere in the world, but the dismemberment of two United Nations designated safe areas for which the United Nations had in no small part a responsibility for safekeeping. The subsequent systematic and brutal murder by the Bosnian Serb army of almost the entire male population of Srebrenica — the vast majority of which were either civilians or had laid down their arms — as well as the ethnic cleansing of the region, accounts for the words of the third and fourth parts of the paragraph.

The fifth part deals with the development of the safe area policy itself, from conception to implementation — the backbone of the report. This part recognizes the serious findings brought out by the Secretary-General himself in the main body of the text.

Finally, as regards the sixth part, in view of the report's content the sponsors believe it only appropriate that the General Assembly respond positively to the Secretary-General's own invitation to a dialogue with the Member States to ensure that there will be no future recurrence of these terrible events.

The general structure of the rest of the draft resolution, both in the preambular and in the operative parts, is very much in keeping with the resolutions adopted by the General Assembly under this item in recent years. However, there are some elements that I would like to highlight.

Operative paragraphs 2 and 3 of the draft resolution cover a development of crucial importance to the overall implementation of the Peace Agreement. On 15 November 1999, the Joint Presidency of Bosnia and Herzegovina issued the New York Declaration, wherein the leaders of Bosnia and Herzegovina agreed to establish the State Border Service, to improve inter-entity military cooperation, to improve the functioning of common State institutions, to create a single national passport and to establish a joint commission on refugee returns. When its provisions are realized, this Declaration will have a considerable positive bearing on the implementation of the Peace Agreement. In this connection, the leaders agreed in New York to submit a report to the Security Council by 1 March 2000 on the progress achieved in the implementation of the New York Declaration, particularly as regards the return of refugees.

Another issue of crucial importance to the future stability of Bosnia and Herzegovina is the legal and moral obligation on the part of all parties and States in the region to cooperate with the International Criminal Tribunal for the Former Yugoslavia, a duty that — as was noted in the sixth annual report of the Tribunal — has not been fulfilled completely. There has been no improvement in this regard, except in the area of the ad hoc arrest of a number of indictees. The obstructive behaviour on the part of certain States and entities in the region — in relation both to the execution of the Tribunal's orders and to these States and entities meeting their wider obligations under international law — has contributed to the unfortunate situation of their being 35 publicly indicted individuals still at large. The eighth and ninth preambular paragraphs and operative paragraphs 10, 11 and 12 address these issues, among others, in connection with the Tribunal's efforts.

On the plight of the refugees, the rate of return continues to be slow, and much remains to be done in the context of creating a safe and secure environment — by creating greater economic opportunities and reforming laws — so as to allow for an increase in the rate of return. The seventh and seventeenth preambular paragraphs and operative paragraphs 10, 13, 14 and 20 cover this particular subject from these various angles.

The remaining few points covered by the draft resolution that I would like to touch on as being of special concern to the sponsors are the implementation of democratic reforms in Bosnia and Herzegovina and throughout the region; their contribution to the overall peace process and to the observance of human rights within that region; the economic revitalization and reconstruction of Bosnia and Herzegovina and the attendant need to combat corruption; the expansion throughout Bosnia and Herzegovina of a free and pluralistic media, which is vital to the future peace and stability of the country; and the need, therefore, to condemn violent acts of intimidation against journalists. Lastly, the draft resolution before the Assembly endorses the concept of ownership as presented by the High Representative.

Finally, on behalf of the sponsors I would like to thank all delegations for their cooperation and support for the draft resolution contained in document A/54/L.63/Rev.1, as corrected just now. It is my sincere hope that the General Assembly will adopt this draft resolution by consensus.

Mr. Šimonović (Croatia): As on so many previous occasions, we are discussing the situation in Bosnia and Herzegovina. This year, however, our task should be easier because of the frequent and very thorough briefings on Bosnia and Herzegovina that we had during the course of the past six weeks. We had an opportunity to listen to Mr. Jacques Klein, Special Representative of the Secretary-General; Mr. Wolfgang Petritsch, High Representative; and finally, the three-member Presidency of Bosnia and Herzegovina. Their statements and their firm belief in the future of Bosnia and Herzegovina has encouraged us all.

As a co-signatory and guarantor of the Dayton Peace Agreement, and as one of the two neighbours of Bosnia and Herzegovina, Croatia continues to follow closely the development of events. Upholding close relations with Bosnia and Herzegovina is vitally important to Croatia. The Republic of Croatia appreciates and fully supports the sovereignty and territorial integrity of Bosnia and Herzegovina. In this context, the position of Croats in Bosnia and Herzegovina, as the smallest and therefore most vulnerable of the three constituent peoples, presents one of Croatia's legitimate concerns. Furthermore, the interrelation between Croatia and Bosnia and Herzegovina includes geostrategic, communications, economic, cultural and many other links between our two countries. As the strengthening of the two-way exchange can only benefit both, Croatia is very interested in fostering prosperity and sustainable development in Bosnia and Herzegovina.

Croatia supports the view of the international community that the return of minority groups in both entities of Bosnia is crucial to post-war reconciliation and rebuilding. It is, unfortunately, proceeding slowly and, in many cases, not at all. Croatia fully shares the view expressed by High Representative Petritsch that the adoption of property laws, which would enable the return of property to refugees, is of critical importance if the return process is to succeed.

Many atrocities were committed during the war in Bosnia and Herzegovina, but just some of those responsible have been apprehended and tried. Unfortunately, those responsible for the most grievous crimes are still at large. In that regard, let me reiterate Croatia's support for the efforts of the International Criminal Tribunal for the former Yugoslavia. Although the Republika Srpska entity recently displayed its first signs of cooperation, major perpetrators of war crimes, namely Karadzic and Mladic, are still at large. Republika Srpska is also harbouring Mile Martic, a high-ranking perpetrator of war crimes in Croatia.

I should like to point out once again that, even though they were the primary targets of war crimes, Croats and Muslims of Bosnia and Herzegovina still make up the majority of persons in the custody of the Tribunal. Moreover, despite ample evidence and repeated calls by my Government, the Tribunal has still not brought a single indictment against persons responsible for crimes specifically targeted against Bosnian Croats. Unless efficient action is taken with regard to the aforementioned events, the objective dispensing of justice and a truthful historical account of events cannot be achieved.

While speaking about historical accounts, I cannot but welcome the report of the Secretary-General on the fall of Srebrenica and the massacre that followed. The courageous approach that the Secretary-General took in investigating all the circumstances of the fall of Srebrenica, the role that the United Nations played and exposing the weaknesses of the United Nations system in peacekeeping will only serve to benefit this Organization. After this report, nothing should ever again be the same.

Although some positive trends have emerged in the return process and the restructuring of the police and other joint institutions, many areas of social and economic life in Bosnia and Herzegovina are still stagnating. Little economic opportunity is being created and foreign assistance remains focused on humanitarian

aid. Shifting priorities towards creating a positive economic and investment environment should be the aim of both domestic politicians and international community representatives.

The future of Bosnia and Herzegovina will be highly influenced by general developments in the region of South-Eastern Europe. The borders that exist between the States created after the dissolution of the Socialist Federal Republic of Yugoslavia must be accepted and respected as definite and unchangeable. However, that does not mean that these borders should create obstacles to free traffic, trade and communications. Contributing to positive developments in the region, the Republic of Croatia and Bosnia and Herzegovina signed in July this year the Agreement on borders, which was the first agreement of that kind between any of the States created after the dissolution of the Socialist Federal Republic of Yugoslavia.

The recently adopted Stability Pact for South-Eastern Europe will, hopefully, be to the benefit of participating countries and the further stabilization of the region. The stability of South-Eastern Europe cannot be achieved by isolating it and waiting for the area's internal problems to be resolved. The process of the stabilization of South-Eastern Europe must be paralleled by the opening up of European structures immediately upon an individual country's fulfilling its the criteria.

Croatia therefore fully supports Bosnia and Herzegovina's application to become a member of the Council of Europe as soon as possible. Mechanisms belonging to the Council of Europe could bring additional impetus for the further democratization of Bosnia and Herzegovina, the protection of human rights and fostering the rule of law. These processes will create a positive environment for foreign investment and for strengthening Bosnia's economy, which could, as a final result, produce a self-sustaining State.

The Republic of Croatia will continue to play its part in the process of stabilizing the region. We would like to see Bosnia and Herzegovina — like all States in our region and Croatia itself — become a modern European State that fully respects the rights of each and every citizen and a country that will one day gain all the benefits of membership in the Euro-Atlantic integrations. Croats in Bosnia and Herzegovina have recognized the importance of their role in creating, together with Bosniacs and Serbs, a sovereign and democratic State of their own and they will continue to receive all our support in that endeavour. For its part, Croatia will follow a policy towards Bosnia and Herzegovina which is based upon the principles of transparency and good-neighbourly relations.

In closing, I should like to recall that, in order to achieve lasting stability, the resolution of the issue of succession to the former Socialist Federal Republic of Yugoslavia has particular importance. It is not a mere matter of the division of rights, assets and liabilities between the States that emerged after the dissolution of their common predecessor. It is a matter of principal political importance, since it was the unwillingness of the Serbs and Serbia to accept the other nations as equals, and as such equally entitled to their sovereignty and integrity, that was one of the causes of the conflict. It is quite clear that ending the process of succession on the basis of the full equality of all States that emerged after the dissolution of the Socialist Federal Republic of Yugoslavia is of vital importance to the future stability of the area, and especially to the stability of Bosnia and Herzegovina.

Ms. Rasi (Finland): I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia — and the associated countries Cyprus and Malta, as well as the European Free Trade Association country member of the European Economic Area, Iceland, align themselves with this statement.

The European Union, first of all, wishes to thank the former High Representative, Mr. Carlos Westendorp, and the new High Representative, Mr. Wolfgang Petritsch, for the tenacious efforts that both of them have devoted to the establishment of lasting peace in Bosnia and Herzegovina. We would also like to express our gratitude to the former Special Representative of the Secretary-General, Mrs. Elizabeth Rehn, and to the new Special Representative, Mr. Jacques Klein, for the invaluable services they have rendered to the cause of peace, reconciliation and reconstruction. We also honour the work of the personnel of the Office of the High Representative, the United Nations Mission in Bosnia and Herzegovina, the United Nations International Police Task Force, the Stabilization Force (SFOR), the Organization for Security and Cooperation in Europe (OSCE) and all other international and non-governmental organizations.

We are encouraged by many positive developments. Bosnia and Herzegovina remains at peace. Reconstruction

is advancing, and more displaced persons are coming home than were last year. Nevertheless, these positive steps are not enough to assure self-sustained political and economic stability in the long run. The implementation of peace has not yet reached the point of irreversibility. Much more needs to be done. The European Union stresses that there is no alternative to the Peace Agreement as the foundation of the political and economic development of Bosnia and Herzegovina and its two multi-ethnic entities.

Therefore, the European Union has warmly welcomed the New York Declaration, made by the Joint Presidency of Bosnia and Herzegovina on 15 November this year. We welcome the Joint Presidency's reaffirmed commitment to the Peace Agreement and the important agreements intending to further the aims of that Agreement, in particular the strengthening of the role of the Joint Presidency, the establishment of the State Border Service, the full funding of State ministries, support for the adoption of the election law, property law reform, a single Bosnia and Herzegovina passport and the fight against corruption. The European Union looks forward to the timely implementation of these commitments.

The European Union reaffirms its full support for the High Representative's role in the implementation of the Peace Agreement. We have endorsed Mr. Petritsch's approach as presented to the ministerial steering board in New York on 22 September 1999. The nucleus of that approach is the concept of ownership. The international community is committed to helping where it can, but the prime responsibility for bringing sustainable change and development rests with the people of Bosnia and Herzegovina themselves. Democracy, prosperity and peaceful and stable conditions must be sustained from within.

As stated on several earlier occasions, common institutions, economic reform and refugee return are of paramount importance to the peace process. Tackling the problem of political obstructionism is of the essence. Only if the Bosnians assume ownership of the peace process can Bosnia and Herzegovina develop as a sustainable and viable State and ultimately integrate into European structures.

The Union attaches great importance to the requirement that the Peace Agreement be fully complied with at all levels. The European Union is willing to provide special support for those mayors who are actively engaged in the implementation of the Peace Agreement.

While paying tribute to the efforts of the Joint Presidency, the Union calls for intensified efforts to support the Peace Agreement at entity, cantonal and municipal levels. Furthermore, the Union underlines the decisive importance of the functioning common institutions. The Union notes with concern that the common institutions as a whole are still performing poorly. The European Union considers it important to favour direct links between the common institutions and the municipal authorities.

The European Union has contributed more than any other donor to reconstruction, technical assistance and humanitarian efforts. The European Union continues to offer assistance and support, but recalls that assistance continues to be conditional upon compliance with the Peace Agreement and upon commitment to democratic principles, the rule of law and market economy.

The European Union demands that those indicted for war crimes be brought to justice. We fully support the work of the International Tribunal and recall that as long as all indictees are not handed over to the International Tribunal, an important requisite for justice and national reconciliation will not be met. We remind the entire leadership of Bosnia and Herzegovina of the obligation to cooperate fully with the International Tribunal.

The European Union warmly welcomes the Secretary-General's Srebrenica report, which in an honest and fair manner sheds light on the events leading to the fall of the Srebrenica safe area and to the extremely brutal acts committed thereafter. The international community should now draw lessons from this experience in order to prevent the recurrence of such atrocities. It is our sincere hope that with time this report will become an important instrument for the promotion of reconciliation.

The Council of Europe is making an invaluable contribution to the implementation of civilian components of the Peace Agreement. We look forward to the day when Bosnia and Herzegovina fulfils the criteria for membership of the Council of Europe. However, we note with concern the point made in the last report of the Special Rapporteur of the Commission on Human Rights, Mr. Jiri Dienstbier, that minimal progress has been achieved with regard to respect for fundamental human rights and freedoms and the development of a tolerant, multi-ethnic society.

The European Union is satisfied to see that the Bosnia and Herzegovina Presidency has taken the first step towards establishing a State Border Service, in the framework put forward by the High Representative, by approving the relevant draft law and submitting it to the Bosnia and Herzegovina Parliament for further action. We urge the members of the Bosnia and Herzegovina Parliament to do their utmost to work together to secure the immediate adoption of this law.

Another important task is to ensure that the permanent electoral law is adopted by the first week of February, first allowing October elections to be held under the provisions of the new electoral law, consistent with the highest internationally accepted democratic standards. The return of refugees and displaced persons, particularly to areas where they could be a minority, as well as to urban areas, remains a priority for the European Union. Four years after the Peace Agreement, hundreds of thousands of them still do not have access to their apartments, houses, business premises and land. Restoration of property rights will be a key factor for the safe return of refugees and displaced persons in order to reverse the effects of wartime ethnic cleansing.

The European Union lends its full support to the High Representative's property legislation implementation plan, which was issued at the end of October. It gives clear legal guidance to local authorities on how to protect, implement and restore the property rights of their fellow citizens. Its implementation will fast be an important test case for the concept of ownership.

The European Union reaffirms the need for Bosnia and Herzegovina to develop a self-sustaining economy and stresses the authorities' responsibilities in this regard. To this end, it considers it essential to accelerate the implementation of economic legislation adopted and to remove all legal and practical obstacles to the full integration of Bosnia and Herzegovina's domestic market.

The European Union supports the High Representative's efforts to counter obstructionist conduct against the Peace Agreement and reconciliation efforts. In this regard, it fully supports his decision to remove 22 public officials from office for pursuing anti-peace, anti-Dayton and anti-reconciliation objectives. This decision confirms the need to concentrate action on the municipal level. As the three members of the Presidency of Bosnia and Herzegovina noted with great vigour, anti-Dayton forces have no place in their country's politics.

The European Union is pleased to see that the contentious question of Brcko seems to be moving gradually towards a solution. A few days ago, the High Representative and the Brcko supervisor presented the final version of the statute of the Brcko district, which will enter into force at the end of next February and which defines Brcko as a unique local self-governing district under the sovereignty of Bosnia and Herzegovina. This will mark the integration of the three Brcko municipalities and the full establishment of the district's transitional government.

The reform of the media sector will continue to be a priority of the international community. Free and independent media represent a cornerstone of democratic society, providing for the free exchange of ideas and for a political discourse that allows citizens to make political choices. This can contribute significantly to reconciliation and to the creation of a civil society bridging ethnic divisions. Priority for next year should be the establishment of a State public broadcasting system and free and independent media.

In the past few months, public attention has been focused on the question of corruption in Bosnia and Herzegovina. This scourge must be eliminated without delay by the local authorities. The European Union appreciates the work of the Office of the High Representative anti-fraud unit and the establishment by the High Representative of the anti-corruption transparency group to coordinate the international community's actions in this respect. The European Union also contributes to the fight against corruption through the Customs and Fiscal Assistance Office programme.

The Union urges all parties in Bosnia and Herzegovina to contribute to the proper functioning of the Standing Committee on Military Matters. The Union notes with satisfaction the July decision of the Presidency to cut military expenditure and personnel by 15 per cent and calls for further action in this area.

The Union emphasizes the regional dimension of the Peace Agreement and stresses that regional cooperation is vital to efforts towards further integration into European structures. The principles of the Stability Pact, launched at the meeting of Heads of State and Government held in Sarajevo on 29-30 July this year, constitute an important element of regional cooperation. The Union looks forward to the active participation of Bosnia and Herzegovina in its activities. Furthermore, the

Union stresses that the European Union policies on the regional approach, conditionality and stabilization and association process are aimed at promoting democracy and stability by drawing the countries of the region closer to the perspective of full integration into the European Union's structures.

The European Union and Bosnia and Herzegovina last year established a joint Consultative Task Force, which is designed to assist the country to identify and overcome some of the technical obstacles to closer ties with the European Union. At its November meeting in Sarajevo, the task force made important recommendations related to political readiness, to adopt economic legislation and to improve internal cooperation.

The Union stresses the importance of these issues if Bosnia and Herzegovina is to realize the opportunity for closer relations with Europe and other Euro-Atlantic institutions, particularly the stability and association process.

Allow me to conclude by recalling the words of Mr. Zivko Radisic, Member of the Presidency of Bosnia and Herzegovina, on the occasion of the participation of the Joint Presidency of Bosnia and Herzegovina at a recent Security Council meeting:

> "Our fundamental goal remains the preservation of peace and stability on the territory of Bosnia and Herzegovina and beyond. It is possible to guarantee prosperous development, democratization of society and integration into Europe and the world only if the Dayton Peace Accord is respected much more consistently and clearly. Every forced revision of Dayton and its unilateral interpretation will lead to the instability of Bosnia and Herzegovina ... Bosnia and Herzegovina is, and must for ever be, a part of a contemporary, democratic and prosperous Europe and the world". (*S/1999/PV.4069, p.10*)

These are sentiments that I am sure all of us here today can fully and enthusiastically endorse.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): At this fifty-fourth session of the Assembly, we are debating the item entitled "The situation in Bosnia and Herzegovina". Etched in our minds are the tragic, shocking events of ethnic cleansing in that part of the world. As we stand at the threshold of a new century, we hope that the lessons of the past have been learned. We also hope that there will be no repetition of such acts, which bring shame on all humankind.

At the outset, I cannot fail to thank the Secretary-General for providing reports summarizing the efforts and activities undertaken by the United Nations Mission in Bosnia and Herzegovina. The reports also offer a comprehensive review of the role played by the United Nations during that humanitarian and political crisis in ensuring the rule of law, building a civil society, encouraging economic and social renewal, satisfying humanitarian needs and providing an appropriate environment for the return of displaced persons and refugees.

The Kingdom of Saudi Arabia welcomes the continuing efforts undertaken by the United Nations and its agencies, and by governmental and non-governmental organizations, to establish and implement projects aimed at facilitating the return to normalcy in all parts of Bosnia and Herzegovina, including projects to provide an environment of stability, security and increased economic potential.

However, despite the signing of the Dayton Peace Agreement in 1995 and the continuing efforts to bring persons responsible for grave violations of humanitarian law to justice, the efforts made to ensure the voluntary return of refugees to their country of origin have not been up to the level required to ensure their full return. Violence against returnees, restrictions on their movements and the random planting of mines in all parts of the country are not reassuring for those who wish to return safely to their homeland.

We therefore call for further efforts to arrest those indicted for humanitarian crimes so that they will realize that the international community will not let them remain immune from prosecution.

The Kingdom of Saudi Arabia supported the Dayton Peace Agreement. We stood on the side of peace, security and stability in the Republic of Bosnia and Herzegovina, proceeding from belief in the principles of justice and peace. That was a principled stand, based on the United Nations Charter and the principle of settling international disputes by peaceful means. However, we believe that in order to achieve the results desired by the international community, States must provide continuous and strong financial and political support, and we hope that the United Nations and other international

organizations will continue their efforts to ensure stability and security in Bosnia and Herzegovina.

Mr. Hays (United States of America): The United States is pleased to be a sponsor of draft resolution A/54/L.63/Rev.1, on the situation in Bosnia and Herzegovina.

Intolerance has been at the heart of the Balkan crisis that has plagued Europe in this decade. Overcoming such a legacy of ethnic strife is essential for the successful implementation of the Dayton accords. In the last year, we have seen reasons to hope that the people of south-eastern Europe can put this legacy behind them. But it will take combined efforts by those in the region, and elsewhere, to ensure that such hopes are realized.

As noted in the draft resolution we are currently discussing, the New York Declaration was adopted on 15 November of this year, during a historic appearance of the three members of the Bosnian Joint Presidency before the Security Council. That event demonstrated both the progress that we have made and the hard work that remains in Bosnia. In their New York Declaration, the members of the Presidency announced their intention to create the infrastructure of governance that is the foundation of a democratic society. They declared that they would institute a State Border Service, create a permanent secretariat for the Joint Presidency, and fully fund State ministries: all essential for the operation of a successful government.

Those concerned by the situation in Bosnia and Herzegovina know that we still have major obstacles to overcome, as reflected in this draft resolution. Although many refugees and displaced persons have come back to Bosnia and Herzegovina, returns to date have been insufficient to ensure the country's future. As the Presidency promised in the New York Declaration, more must be done in the crucial area of urban returns to minority areas.

The creation of a multi-ethnic society is inextricably linked with the evolution of good government and the administration of justice in Bosnia. The international community must continue to encourage both developments, including through full support of the efforts of the International Tribunal for the former Yugoslavia to prosecute all war criminals in Bosnia. That in turn will help the Government of Bosnia and Herzegovina face the enormous challenges posed by crime and corruption, a necessary precondition for the country to reach its economic and political potential.

Mr. Erdös (Hungary) (*spoke in French*): It is the practice in the General Assembly to begin our statements by thanking the Secretary-General for his report on the agenda item before us. But if there is any report for which we should be grateful to the Secretary-General, it is certainly the one on the fall of Srebrenica, recently submitted by Mr. Kofi Annan pursuant to resolution 53/35. We had, it is true, to wait several years for an official United Nations document to describe these events — and to do so with a candour unequalled in the entire history of the United Nations. I am particularly aware of this because as the representative of my country I had the privilege and the sad duty of sitting on the Security Council during the brutal years of 1992 and 1993, of participating in the daily discussions on the tragedy of Bosnia, and of taking part in the Council's April 1993 mission to Bosnia and visiting Srebrenica, which had already been surrounded.

In truth, the substance of the report and most of the facts it sets out have been known for several years. What lends credibility and significance to this review of the tragedy in that enclave of eastern Bosnia is precisely the Secretary-General's personal contribution, in the form of an extensive official report. In the course of long years at the United Nations, I have indeed dealt with a great many reports from the thirty-eighth floor, but this is the first time that I have been touched by the open-mindedness, the absence of complacency and the critical approach found in the present report. As I read it, I experienced the same feelings, the same anguish, the same torment, the same frustration — and I faced once more the same harrowing questions that had haunted the Hungarian delegation in the Security Council and that have haunted me since: in the face of the nightmare that had engulfed the former Yugoslavia and in the knowledge of the barbarous acts and atrocities that had been committed, why did the international community not respond? Why did it not intervene earlier, in time, with appropriate means and with the required political will?

I share these personal reflections because I was not only a participant in the Council's deliberations during that trying time, but also the citizen of a Central European country, a country located very near the site of those events. I confess that, knowing well the history of our old continent in the twentieth century, I never would have thought that such horrific events could take place near the end of that century in my country's immediate neighbourhood. That was a bitter discovery, which has made me somewhat more humble than I was before about the solidity and viability of contemporary civilization, a

discovery that leads me to say today that mankind still has a long way to go before it reaches the point of no return in terms of respect for the fundamental values that lie at the core of human existence.

Arising in the wake of the collapse of the bipolar system, the conflict on the territory of the former Yugoslavia presented the world with a bloody and extremely complex crisis, whose treatment by the world Organization — and for quite some time, it must be said, by other organizations and regional institutions — was a dismal failure. The extreme aversion to direct conflict with the Serbs; the stalemate in the form of the lowest-common-denominator approach taken in the Security Council; the lack of true political will to take the necessary measures as the fighting spread and as atrocities were committed; the build-up in the Council of resolutions and presidential statements that remained practically ineffective and that turned that principal United Nations organ into a paper tiger; the unwitting encouragement of theories of aggressive nationalism and of individuals who personified that cancerous policy of extremism: all of this inexorably led to a tragic outcome, including in the safe area of Srebrenica. When my delegation vacated its seat on the Security Council in December 1993, the then Commander of the Bosnia and Herzegovina Command of the United Nations Protection Force noted

> "'a fantastic gap between the resolutions of the Security Council, the will to execute these resolutions, and the means available to commanders in the field'". (*A/54/549, para. 124*)

The underlying problem throughout the terrible strife relating to Bosnia could be expressed in an imaginary equation, on one side of which are found democratic systems with their parliaments, opposition parties, power-sharing, transparency in public administration, commitment to human rights and the value of human life. On the other side of the equation are authoritarian leaders, unscrupulous politicians and warlords with absolutely no concern for international law or for loss of life. Unfortunately, it is clear that in this equation the democratic side, because of inherent constraints, will always be the more vulnerable in the face of events such as those that took place in Bosnia.

Thus, without effective measures to thwart their designs, those who flouted international law, including humanitarian law, were encouraged to pursue their aggression. In July 1995, the Special Rapporteur on human rights decided to leave his post, noting in his letter of resignation that, in Bosnia,

> "crimes have been committed with swiftness and brutality and by contrast the response of the international community has been slow and ineffectual". (*A/54/549, para. 408*)

On that point, a debate began in the Security Council at the onset of these events in Bosnia on the stance to adopt towards the warring parties. For some, the simplicity of placing everyone in the same basket or of not noticing the differences between the actors in the conflict seemed to win out over every other consideration, despite the undeniable facts and overwhelming proof of the true nature of the conflict. The question of the so-called neutrality of the United Nations forces was hardly a philosophical dilemma at that stage. The confusion surrounding this concept has been with us for some time now and prevented us from taking a firmer stance in defence of the purposes and principles of the Charter. The Secretary-General brings us face to face with this problem, of which we were all aware, but which had not yet been explicitly brought to light. Mr. Kofi Annan, while recognizing the importance of impartiality in implementing the mandates of United Nations operations, quite rightly rejects what he calls the "unthinking neutrality" that almost paralysed United Nations action in Bosnia. Certainly, we still need to define the line between impartiality, which is essential to effective action, and blind neutrality, which can lead to disaster.

In April 1993, a Security Council mission went to Bosnia and was able to land in Srebrenica, which at that time was already surrounded and under siege. It was led to the centre of the city in armoured personnel carriers belonging to the United Nations Protection Force, while thousands assembled along the roads and applauded. Dressed in a bullet-proof vest and wearing a blue helmet, I was in one of those vehicles and witnessed the enthusiasm of the crowd, who saw us as the liberators of Srebrenica. I knew even then that we were not liberators, but none of us could have foreseen the fate that, two years later, awaited these 60,000 people, inhabitants of the city and refugees alike, who had gathered in that lush valley.

We learned a great deal from that visit to Bosnia. We were detained at the entrance to Srebrenica for so-called "discussions" with Serb militia under the threatening shadow of a machine-gun pointed straight at us members of the Security Council delegation. We were practically taken hostage by the same forces in Zvornik. Throughout the country, we saw holy sites that had been

blown up simply for belonging to other faiths. We heard the impassioned rhetoric of Karadzic on the primacy of property rights on "holy land" in Bosnia for a certain ethnic group. In the vicinity of Kiseljak, we observed with horror the charred remains of people — children, women and men — in the shell of their burned-out home. In particular, we saw the contrast, as unreal as it was shocking — straight out of a Begnini film, one might have said — between the physical manifestations of war, hatred and slaughter and nature in all the splendour of a Bosnian springtime. It was a horrifying contrast that I shall never forget.

Since the fall of Srebrenica and the end of the armed conflict in Bosnia, the international community has again been put to the test as to the appropriate way to address serious crises. The Secretary-General quite rightly drew our attention to this great dilemma at the beginning of this session of the General Assembly. What should the United Nations do when Member States, and more specifically the permanent members of the Security Council, are unable to agree on a common position on a crisis or an armed conflict? And yet, the case of Bosnia and Srebrenica was somewhat different, because, despite frequent manifestations of disagreement among some non-permanent members, the Security Council made errors of judgement on many occasions in its capacity as an institution, rather than as a result of any serious disagreement among its permanent members that would have kept it from adopting a common position on the general situation in Bosnia. It established the concepts of impartiality and non-violence as a sacrosanct principle while rejecting the "culture of death". These premises, as the Secretary-General's report notes, were wholly unsuited to the conflict in Bosnia, where forces determined at all costs to destroy a State Member of the United Nations acted systematically and mercilessly, without encountering any serious obstacles.

It is clear to us that there are moments in international relations when resolve must be shown, when we must act, when we must create a credible military deterrent and, if need be, use it. Since the Security Council is primarily responsible for maintaining international peace and security, it is the fundamental obligation of the Council — and, dare I say, above all of its permanent members — not to shirk this responsibility, but to act, using all necessary means. Without effective action, as we have seen, hundreds of thousands and even millions of human lives are put at risk and sacrificed on the altar of Council inaction, sometimes even as victims of appeasement. It also seems clear to us that we must judge unscrupulous and murderous regimes and leaders for what they are, and not reject recourse to force a priori. In one instance, such a use of military means half a century ago led to the victory of the Allies over the fascist forces of modern barbarity. Without such military action, medieval darkness, with all its misery, intolerance and exclusion, would have descended over Europe and other parts of the world.

There is nothing to add to the assessments and conclusion of the Secretary-General's report. The references to "unimaginable savagery," "barbaric crimes" and "scenes from hell, written on the darkest pages of human history", as well as to the cruel failure of the Organization in Bosnia, fully reflect the depth of the tragedy that befell this unfortunate country of South-Eastern Europe. In retrospect, and having paid a terrible price in human lives, material loss and psychological devastation, the best we can now do is to draw the necessary lessons and to ensure that each and every one of us remembers, looks to the future and does everything in his power to reject the siren song of intolerance among ethnic, religious or linguistic communities and to prevent the horrors of this recent past from recurring.

The Secretary-General speaks for us all, for Hungary and for all those of us who were part of the Security Council during that critical period when he recalls that the United Nations experience in Bosnia was one of the most difficult and painful in our history and that the tragedy of Srebrenica will haunt our history forever. He also sounds the warning, full of meaning and consequence, that we must look at today's world without complacency and see it as it is, that we must acknowledge that evil exists and that it is up to our world Organization to recognize the forces of evil when they appear. These may be strong words, but they will help the United Nations to overcome the trauma of its experience in Bosnia.

In conclusion, Hungary is convinced that the consolidation of peace and the resolution of the problems in Bosnia and in the region, as well as the democratization and economic development of those countries, can be envisioned and implemented only within the framework of a global approach to the entire South-Eastern European region, with the cooperation of the vital forces of those countries and the active participation of the international community.

My country welcomes the Stability Pact for South-Eastern Europe and hopes that the promising frameworks outlined in that initiative will soon be fleshed out in a

manner that is consonant with the political and economic needs of the countries of the region.

As co-President for the first half of the upcoming year of the Stability Pact's Working Table on democratization and human rights, my country is committed to promoting the success of this major and complex undertaking. The fate of the Balkans as well as that of the entire European and Mediterranean region is at stake, although the message sent by our success will be universal.

The adoption by the General Assembly of the draft resolution on the situation in Bosnia and Herzegovina, which Hungary has sponsored along with a number of other countries, will undoubtedly be an important step in this direction.

Mr. Fadaifard (Islamic Republic of Iran): The annual discussions on the situation in the Republic of Bosnia and Herzegovina in the General Assembly provide us with an opportunity to express once again our commitment to the promotion and strengthening of peace in the multi-ethnic, multicultural society in that country.

The presence of the three Members of the Presidency of Bosnia and Herzegovina in the Security Council last November, which enabled them to report on the progress achieved in the implementation of the Peace Agreement and the actions still to be taken, was indeed of great importance. It showed that the joint nature of the Presidency has begun to function in practice. Current efforts need to be continued and even redoubled, so that pending issues can be dealt with rapidly, thereby consolidating peace in Bosnia and Herzegovina.

However, there are a number of underlying challenges yet to be overcome. These include the short-sighted views still maintained by certain groups and parties and the ethnic divisions that still exist. Surmounting these challenges will require greater efforts on the part of the leadership and principal forces in Bosnia and Herzegovina to achieve increased democracy, tolerance and reconciliation among the different ethnic communities.

Despite the fact that some progress has been made in the course of the implementation of the provisions of the Peace Agreement, especially in the areas of refugee return, institution-building, judicial reform and economic regeneration, obstacles continue to impede the full implementation of the Agreement as the prerequisite for peace and stability in the region. Therefore, further sustained efforts are required before Bosnia and Herzegovina can enjoy self-sustaining peace and stability and emerge from the protective care of the international community.

The return of refugees and displaced persons, and in particular the return of peoples to areas in which they are in the minority; reconciliation among different ethnic communities; minority protection; economic reforms and recovery; and freedom of movement of people, goods, services and information throughout the country are among the main outstanding issues that have to be comprehensively addressed to facilitate the establishment of viable statehood for Bosnia and Herzegovina.

While the return of refugees to all parts of Bosnia and Herzegovina is a prerequisite for reconciliation in the country, it is a source of grave concern that the refugees and displaced persons still face harassment and obstructions. Approximately 800,000 internally displaced persons and thousands of refugees outside the country have not yet been able to return to their places of origin. This situation needs to be rectified. We therefore believe that any initiatives and actions aimed at resolving this important issue must be supported by all in Bosnia and Herzegovina and by the whole international community.

The Islamic Republic of Iran attaches great importance to the role of the International Criminal Tribunal for the Former Yugoslavia in bringing justice to the region. Unfortunately, despite the repeated calls of the international community and in contravention of the Peace Agreement, indicted war criminals continue to remain free and disrupt the political affairs of the country. The continued freedom enjoyed by the leading indicted war criminals sends the wrong political message. Worse yet, it contributes to a climate of insecurity that limits refugee returns, particularly in minority areas. The arrest and prosecution of these indicted war criminals would not only serve justice, but would also contribute to accomplishing the long-term goal of national reconciliation, which alone can guarantee Bosnia and Herzegovina freedom from the ghosts of its tragic past.

Therefore, we urge all concerned in Bosnia and Herzegovina, as well as the Office of the High Representative and the Stabilization Force (SFOR), to work more closely with the Tribunal in the fulfilment of its mandate.

A strong commitment and full cooperation on the part of the Bosnian leadership and the people is imperative at every level, but durable peace in Bosnia

and Herzegovina will require also the full cooperation of its neighbours and the international community. Therefore, we urge the international community to continue to help that country actively in its reconstruction efforts to bring about a new, united, strong and prosperous Bosnia and Herzegovina.

My delegation believes that continued commitment and serious efforts towards realizing a shared vision of Bosnia and Herzegovina as an independent, unified, multi-ethnic, multicultural and multi-religious State within its internationally recognized borders is the only way to achieve a durable and just peace in that country and in the Balkans.

We commend the ongoing work of the United Nations Mission in Bosnia and Herzegovina and of the International Police Task Force (IPTF). We also appreciate the efforts made by the High Representative and remain hopeful that his recent measures relating to the package of property legislation reforms and the introduction of a new draft election law, as well as the ongoing work on the establishment of a State border service, will further help Bosnia and Herzegovina on the path towards sustained self-reliance.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): In the four years since the implementation of the Dayton-Paris Agreement, positive results have been achieved. However, the international community has no reason for complacency. Indeed, major tasks remain: to ensure the stability and irreversibility of the Bosnian settlement, strengthen Bosnia's multi-ethnic statehood on a democratic basis, and promote the observance of the rights of all the peoples of that country.

It is important to note that, during a recent meeting of the Security Council, the members of the Joint Presidency of Bosnia and Herzegovina confirmed their resolve to work jointly for the consistent implementation of the Peace Agreement and to allow no arbitrary adjustments to take place or unjustified external pressures to be brought to bear. Such an approach will provide an important guarantee for the success of efforts to ensure a long-term, effective settlement of the situation in Bosnia and a return to normalcy in that country.

The main responsibility for progress in the peace process lies with the Bosnians themselves. The international community must continue to help, but it cannot construct a stable and flourishing Bosnia on their behalf. It is commendable that all the Bosnian parties are demonstrating a growing understanding of this principle, which was reflected in the New York Declaration, signed by the Joint Presidency of Bosnia and Herzegovina. We are counting on the Bosnian leadership and on both entities to consistently implement the obligations contained in the document and, first and foremost, to promote the effectiveness of the common Bosnia and Herzegovina State institutions and the formation of a multi-ethnic State Border Service.

The recent positive changes that have been made clearly confirm that the successful implementation of the Peace Agreement will demand lasting, mutual reconciliation and solidarity on the part of all the Bosnian sides. It will be necessary, as soon as possible, to overcome the remaining difficulties in securing a proper level of cooperation between the two entities, not only in the common Bosnian State institutions, but also in their relations with the main international structures in Bosnia, including the High Representative, the Special Representative of the Secretary-General and the United Nations Mission as a whole. Such cooperation, together with independent contributions by the Bosnian sides to advancing the peace process, is particularly urgent when so many important questions remain unresolved, especially those relating to the reorganization on a multi-ethnic basis of the Bosnian police force, the creation of a viable democratic judiciary, the construction of a modern market economy, the fight against corruption, the speedy promulgation of an electoral law in Bosnia and Herzegovina on the basis of the draft proposed to the Bosnian sides and the return of refugees and internally displaced persons.

We welcome the intention expressed by the supreme Bosnian leadership in the New York Declaration to undertake the task of strengthening military cooperation between the entities, including the creation of joint units to participate in United Nations peacekeeping operations. At the same time, however, we note that, despite such progress, the problem of the existence in Bosnia of three independent armies has not been resolved. Such a situation is highly abnormal and does not foster progress towards the integration and consolidation of Bosnian statehood.

It is important to intensify the process of developing an overall military doctrine for Bosnia and Herzegovina. The continuing adverse affect on the situation in Bosnia of the Arbitration Award on Brcko is of great concern. It will be necessary to implement that decision in such a way as to maximize stability, in accordance with the

Peace Agreement, by successfully resolving the remaining problems in a manner that is acceptable to all.

With regard to the work in Bosnia and Herzegovina of the International Criminal Tribunal for the Former Yugoslavia, there is an urgent need to rid its operations of political and circumstantial considerations and to bring it into strict compliance with the Statute of the Tribunal and the decisions of the Security Council. Cooperation between States and the Tribunal must also proceed on that basis. It is time to put an end to the practice of hunting down the accused, as such a practice goes beyond the mandate of the Stabilization Force. All other international institutions and structures in Bosnia and Herzegovina must also operate in strict compliance with their mandate.

We have studied the report of the Secretary-General on Srebrenica, which was submitted at the request of the General Assembly. The content of that report is not unequivocal. The events in Srebrenica were, of course, tragic. But they were only one episode in the Bosnian war, during the course of which many humanitarian tragedies occurred. The question arises to what extent the opening of old wounds can contribute to the complex process of national reconciliation in Bosnia and to the strengthening of its new, multi-ethnic statehood. We cannot agree that we should place the brunt of responsibility for war crimes in Bosnia and Herzegovina on one party only. Responsibility is borne by all the participants in the war.

We do not share the conclusions of the report with regard to the alleged lack of alternatives to a forceful international response to a humanitarian crisis of the type that occurred in Srebrenica. The international community must rely first and foremost on the wide variety of political, diplomatic and non-military means provided for in the United Nations Charter for crisis prevention and settlement under the leadership of the United Nations. Resort to force should be possible only as an extreme measure and should take place exclusively with the sanction and under the control of the Security Council.

At the same time, we agree with the Secretary-General's conclusion with regard to the actual failure of the concept of the safe havens in Bosnia. The negative consequences of the creation of those areas were due primarily to the fact that it was an attempt to involve the United Nations in carrying out tasks that do not fall within the mandate of peacekeeping operations, and, secondly, to the destabilizing use of North Atlantic Treaty Organization forces, in violation of the strict parameters and procedures for the use of force approved by the Security Council, including the machinery of mandatory agreement with the Council regarding the appropriate steps to take. That serious lesson must be borne in mind when working to improve the theory and practice of international peace-building under United Nations auspices.

As we are one of the main participants in the Bosnian settlement process, Russia will continue to contribute actively to advancing the peace process in Bosnia on the basis of the complete and strict implementation of the Dayton/Paris Peace Agreement, and the subsequent decisions of the international community based on that Agreement.

Mr. Mohammad Kamal (Malaysia): The General Assembly's consideration of the item on the situation in Bosnia and Herzegovina at this session coincides with the fourth anniversary of the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina — the Dayton/Paris Peace Agreement. The consideration of this important agenda item today is most appropriate and timely, particularly as it takes place against the backdrop of conflicting analyses of the progress made in the implementation of peace in Bosnia and Herzegovina. Some assessments are pessimistic, while others provide quite a different picture and suggest an encouraging trend towards the eventual full implementation of the Peace Agreement.

My delegation is gratified that there has indeed been significant progress in the peace implementation process in Bosnia and Herzegovina. The Bosnian people in most parts of the country have begun to have a taste of relative normalcy. A number of the fundamental common State institutions have been constituted and have begun to function, albeit with a certain degree of structural and political constraint. We believe that with the necessary political will, these impediments can be overcome.

In this regard, my delegation welcomes the adoption of the New York Declaration of 15 November — just one month ago — by the members of the tripartite Presidency of Bosnia and Herzegovina. The New York Declaration clearly attests to the commitment and genuine desire of the members of the Bosnian Presidency to overcome those constraints and to continue to work together closely towards a shared future for Bosnia and Herzegovina as an independent, unified, multi-ethnic, multicultural and multi-religious State within its internationally recognized borders. We certainly look forward to the realization and implementation of the objectives of the Declaration and of the specific measures contained in it.

Despite the clear achievements that have been made so far, much remains to be done to resolve the remaining critical problems and thus to ensure that peace and stability will endure in Bosnia and Herzegovina and that the country will emerge from the current protective care of the international community. The return of refugees and displaced persons, in particular the return of people to areas in which they are in a minority; reconciliation among the three constituent peoples and other ethnic communities; protection of the minority; and economic reforms and recovery: these are among the main outstanding problems that have to be urgently and comprehensively addressed to facilitate the establishment of viable statehood for Bosnia and Herzegovina.

The international community has accorded to the return of refugees in all parts of Bosnia and Herzegovina one of the highest priorities in the peace implementation process; indeed, it is imperative for reconciliation in the country. The slow pace of the return process, in particular the return of people to areas where they would be members of an ethnic minority, is still a matter for serious concern. According to the recent report to the Security Council by the High Representative for Implementation of the Peace Agreement in Bosnia and Herzegovina, if the current slow tempo of return continues, completing the process will take at least 22 years in the Federation and 40 years in the Republika Srpska. Clearly, this issue needs to be addressed more effectively, and it requires the full cooperation of the leadership and the people of Bosnia and Herzegovina in bringing about more tangible results.

A number of other challenges still have to be met, such as the entrenched positions of certain political parties and the deep ethnic divisions that still exist. The situation demands greater efforts on the part of the leadership and political forces in Bosnia and Herzegovina to strive for wider democracy, tolerance and reconciliation among the various ethnic communities. Malaysia's own experience as a multi-ethnic, multicultural and multi-religious country has convinced us that tolerance and the spirit of goodwill are the indispensable ingredients of coexistence and nation-building.

At this crucial stage, the commitment and sustained support of the international community continue to be necessary to ensure the success of the peace process in Bosnia and Herzegovina. My delegation continues to support the work of the High Representative, of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and of the various other international organizations that are currently engaged in the country and whose contributions have been instrumental in facilitating the implementation of the Peace Agreement. We commend the ongoing work of UNMIBH and the International Police Task Force, in particular their efforts aimed at establishing a viable police force and judicial system in Bosnia and Herzegovina. We also support the work of the High Representative, including his recent measures relating to the package of property legislation reforms, the introduction of the new draft election law, and the ongoing work on the establishment of a State Border Service.

The success of international involvement in Bosnia and Herzegovina can be guaranteed only if there is strong commitment and full cooperation from the Bosnian leadership and the Bosnian people at every level. Ultimately, the main responsibility for achieving national reconciliation and lasting peace in the country lies with the leaders and the people of Bosnia and Herzegovina themselves. There is no alternative but for them to remain fully committed to the peace implementation process. In this regard, we fully support the strategic concept of "ownership" that the High Representative recently outlined. We think that central to this concept is the notion that all the people of Bosnia and Herzegovina are important stakeholders in the viability of a stable, secure, prosperous and independent State.

My delegation wishes to underscore once again the important role of the international criminal Tribunal for the former Yugoslavia and to emphasize the importance of the international community's continuing support for the Tribunal as it carries out its mandate. We know that indicted war criminals are still at large and wander freely in some parts of Bosnia and Herzegovina, as well as in neighbouring States, particularly the Federal Republic of Yugoslavia. We believe that more serious efforts should be made to bring them to justice. The continued freedom enjoyed by leading indicted war criminals sends the wrong political message and contributes to the climate of insecurity that limits refugee returns, particularly in minority areas. The arrest and prosecution of all indicted war criminals would not only serve to mete out justice but would also contribute to accomplishing the long-term goal of national reconciliation in Bosnia and Herzegovina.

As a sponsor of resolution 53/35 of 30 November 1998, my delegation would like to extend its profound appreciation to the Secretary-General for the issuance of his report on the fall of Srebrenica (A/54/549). Our appreciation goes also to all others who made the

issuance of that very important and useful report possible. The report provides a comprehensive and painful historical account of the events surrounding one of the most shocking episodes that took place during the war in Bosnia and Herzegovina. We strongly condemned the brutal acts described in the report. There are a number of very important and useful lessons that all of us — the Organization and Member States alike — can draw with a view to preventing such a horrific event from recurring. We would like to see further discussion of this report in an appropriate format so that we can reflect in detail and in a structured manner on the significant lessons it contains.

Mr. Wenaweser (Liechtenstein): Four years after Dayton, the situation in Bosnia and Herzegovina remains a complex and volatile one. Many positive developments, offering encouraging signs for the future, and the strong involvement of the international community have, beyond any doubt, made a major contribution to the relative stability in the country. Most importantly, there is peace in Bosnia and Herzegovina, an achievement in itself, as is worth keeping in mind. A very wide range of players have participated in the tremendous effort for reconstruction and reconciliation in Bosnia and Herzegovina, among which the European Union and its representatives have played a decisive role.

There are, however, also factors which continue to be a cause of concern. Perhaps not surprisingly, the pace of the implementation of the Peace Agreement is far from ideal, especially with regard to the return of refugees and internally displaced persons, which to our mind remains an essential element of the peace process. Even more troublesome are developments and actions which are aimed at undermining the core objective of the Dayton Accords: a unified Bosnia and Herzegovina within its internationally recognized borders and consisting of two multi-ethnic entities.

The New York Declaration made by the Joint Presidency of Bosnia and Herzegovina on 15 November of this year was therefore of particular importance. We hope that this Declaration is a harbinger of an enhanced and improved role for the common institutions, which is an indispensable step for the overall progress in the implementation of the Peace Accords.

The goal of the peace process continues to be a self-sustaining and politically and economically stable Bosnia and Herzegovina which is fully integrated into its subregion, as well as into the whole of Europe. These goals are as ambitious as they are indispensable for the stability of the entire region. Democracy and a prosperous economy are based on the active involvement and participation of the people concerned. The assistance and involvement of the international community will remain an indispensable element of the implementation process for quite some time, but it is to be understood — and this idea should increasingly be put into practice — that the primary responsibility for the development in Bosnia and Herzegovina lies with the people themselves. The concept of ownership must therefore constitute the foundation of all steps to implement the Peace Accords. We welcome in this context the approach outlined by the new High Representative, Mr. Wolfgang Petritsch.

It is clear that national reconciliation is a prerequisite for sustained, positive development in Bosnia and Herzegovina. The International Tribunal plays a crucial role in this difficult process, and we fully support its work. All States, as well as the entities within Bosnia and Herzegovina, have the obligation to fully cooperate with the International Tribunal. It is thus unacceptable that certain parts of Bosnia and Herzegovina seem to have become de facto safe havens for persons indicted by the International Tribunal. This state of affairs not only defies numerous Security Council resolutions, it also undermines one of the foundations of the peace process. Those who have the means to ensure that these indictees are brought to justice, in particular the authorities in the areas concerned, therefore have to act in accordance with their overall commitment to the peace process.

While the international community has taken on its collective responsibility for reconstruction and reconciliation in Bosnia and Herzegovina in an impressive manner, this has, sadly, not always been the case in the past. I refer, of course, to document A/54/549 before us, which has become known as the Srebrenica report. In commenting on the report, we would first and foremost like to extend our sincere gratitude to the Secretary-General. The report bears witness once again to his personal courage and to his unconditional commitment to the cause of the United Nations. This report is certainly an invaluable contribution to the credibility of the Organization and, hopefully, also one which will improve the performance of the United Nations in the future.

The draft resolution before us, which we have co-sponsored, enables the United Nations to achieve this goal. The events leading to, as well as those taking place after, the fall of Srebrenica in the summer of 1995 have been haunting the United Nations and the people of Bosnia and Herzegovina ever since. It was clear that only

an open and critical account and analysis of all these events could bring about a closure with the past and an optimistic outlook for the future. The report provides us with this opportunity, and it is up to us, the Member States, to seize upon it to address the issues at hand in a sincere and self-critical manner. Such an exercise must be forward-looking. While it is of course necessary to recognize the collective and individual responsibilities for events connected with Srebrenica, it is also important not to engage in an exercise of attributing blame. Our task is rather to prepare the Organization to fully live up to its responsibilities in the future. For the victims of Srebrenica, justice can be done only when those who committed the atrocities are convicted by the International Tribunal. As Member States, we have to recognize that the United Nations cannot afford another Srebrenica and to ensure that one will not reoccur in the future.

Mr. Haque (Pakistan): The Dayton Peace Accords brought to an end the most brutal war of our times in the Balkans and paved the way for establishing peace in Bosnia and Herzegovina. The leaders of that devastated country committed themselves to rebuilding peace. The journey that lay ahead of them was arduous, considering that the fabric of their society had been torn asunder. The people of Bosnia and Herzegovina deserve the highest praise for their determination to abandon the way of violence. Despite daunting odds, their progress down the path to peace and reconstruction has been substantial.

However, peace in Bosnia and Herzegovina continues to remain fragile. There can be no durable peace unless it is consciously and carefully nurtured by the people who will be its main beneficiaries. The multi-ethnic society of Bosnia and Herzegovina needs to consolidate peace and eliminate the prospect of a recurrence of the conflict. The basic requirement for this is the re-establishment of mutual trust and overcoming the deep-seated hatred that manifested itself during that brutal war. This is no easy task. Unfortunately, because of an absence of sincere commitment, mainly on the part of the Serbian community, the re-establishment of trust has been a very slow process and is hindering the pace of national reconciliation. Only mutual accommodation and acceptance can ensure reconciliation and strengthen the national institutions in Bosnia and Herzegovina.

Faithful implementation of the Dayton Accords is central to the achievement of durable peace in Bosnia and Herzegovina and to its existence as a united, sovereign and independent State. While the Government of Bosnia and Herzegovina has fulfilled its obligations to a large extent, the Republika Srpska is lagging behind in vital areas. We are particularly concerned at the lack of progress in the return of the refugees and displaced persons; freedom of movement across the inter-entity boundary line; the establishment of common institutions; cooperation with the International Tribunal for war crimes; judicial and police reform; and a host of other issues.

The return of refugees to their homes is a vital element in the reintegration process of the fragmented multi-ethnic society of Bosnia and Herzegovina. Success in this area is vital in order to reverse the consequences of ethnic cleansing and to heal, as much as possible, the deep and festering wounds it has caused. The recent introduction of the property law reforms by the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina is a positive development. It is our hope that these reforms will encourage the safe, voluntary and dignified return of the refugees to their homes.

The parties must also implement their solemn commitment made at Dayton to pursue and apprehend war criminals. We note with concern that most of the war criminals, including 35 individuals named in public indictments, still remain at large, mostly in the territory of the Republika Srpska and Serbia. These criminals must be surrendered to the International Tribunal so that proceedings against them can be started without any further delay. Cooperation of the authorities in the Republika Srpska and Belgrade is essential for the apprehension of those accused of genocide and crimes against humanity. Serbia and the Republika Srpska must no longer be allowed to ignore their obligations under international law and must surrender the criminals. Strict and unconditional adherence to international law is essential in order to advance the goal of reintegration. We believe that those who participated in mass killings must not go unpunished anywhere in the world, be it in Srebrenica, in Kosovo or in Jammu and Kashmir.

We also note that the common State institutions, particularly the Council of Ministers and the Parliamentary Assembly, are not functioning effectively. This is creating difficulties in decision-making on crucial national issues. In his latest report, the High Representative has pointed out that one key problem is the attitude of Serb members of common institutions who continue to vote according to their instructions from the Republika Srpska government or the Republika Srpska National Assembly. We note, however, the commitment made by the Joint Presidency of Bosnia and Herzegovina,

in the New York Declaration of 15 November 1999, that they would take steps to improve the functioning of the common State institutions, and we expect that the common institutions will not be allowed to become hostage to parochial or short-sighted interests of the leaders of the Republika Srpska.

The revival of Bosnia's economic and social structure, destroyed by years of war, needs the sustained support of the international community. A comprehensive approach to economic reform, which would contribute to a homogeneous development of the economy and of trade in the two entities and across the inter-entity boundary line, is essential. Slow progress in the implementation of the Dayton Accords has also impeded the pace of economic development and reconstruction in Bosnia and Herzegovina, resulting in an unnecessary prolongation of the hardships faced by the people. The three communities in Bosnia and Herzegovina need to recognize the benefits of mutual cooperation in the nation-building process. While the donor countries and the donor agencies must continue to provide financial and technical support to Bosnia and Herzegovina, it is incumbent on the people of Bosnia and Herzegovina to cooperate with each other to overcome the devastation caused by the war. They have to move quickly towards establishing a multi-ethnic, democratic and economically sound and viable society in which respect for human rights and fundamental freedom enjoys primacy.

We deeply appreciate the integrity of the report of the Secretary-General on the massacre of thousands of innocent people in the United Nations safe area in Srebrenica. This is an important document, and we commend the efforts deployed to determine the facts concerning the unforgivable crimes committed in Srebrenica. It is our earnest hope that the Secretary-General, the Member States and the relevant organs of the United Nations will appropriately address the disturbing revelations in the report with a view to ensuring that such cold-blooded massacres will not be allowed to take place anywhere in the world in the future.

During the crisis in Bosnia and Herzegovina, Pakistan extended unequivocal moral, political, financial, technical and material support to the people of that country, in defence of international law and morality and as proof of our solidarity with them. Our support was and continues to be the manifestation of our conviction that no nation should be victimized because of its weakness and vulnerability, no people should be brutalized because of their ethno-religious origins, and no nation or people should be denied its inherent right to self-determination and the right to wage a legitimate struggle for freedom.

We are confident that the people of Bosnia and Herzegovina have the resilience and strength to overcome the formidable challenges confronting them. The international community, for its part, must continue to provide unswerving support to a sovereign, united, multi-ethnic, multicultural State of Bosnia and Herzegovina, at peace with itself and contributing to international peace and security.

The draft resolution before the Assembly today embodies the principles and goals that must be accomplished to bring about a just and lasting peace in Bosnia and Herzegovina. Pakistan is a sponsor of this draft resolution and commends it to the Assembly for adoption by consensus.

The meeting rose at 7 p.m.